

The PRESIDING OFFICER. The paragraphs the amendments to which have just been agreed to will, in the absence of objection, be considered as agreed to as amended. The Chair hears no objection.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until Monday, June 7, 1909, at 10.30 o'clock a. m.

## SENATE.

MONDAY, June 7, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Vice-President being absent, the President pro tempore assumed the chair.

The Journal of the proceedings of Saturday last was read and approved.

### PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates or changes in rules pending a hearing, etc., which was referred to the Committee on Interstate Commerce.

Mr. GAMBLE presented a petition of the Western South Dakota Stock Growers' Association, praying for the ratification of such reciprocal trade relations with other governments as will encourage the export of live stock, which was ordered to lie on the table.

He also presented a petition of the Western South Dakota Stock Growers' Association, praying for the retention of the present import duty on cattle, with such reasonable adjustment and maximum and minimum schedules as shall best subserve the interests of the cattle growers of the country, which was ordered to lie on the table.

Mr. NIXON presented a petition of the Reno Commercial Club, of Reno, Nev., praying that an appropriation be made to enable the Interstate Commerce Commission to obtain the valuation of all railroad property in the United States, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Reno Commercial Club, of Reno, Nev., praying for the adoption of certain amendments to the interstate-commerce law giving to the Interstate Commerce Commission the power to suspend the taking effect of proposed advances in existing rates, etc., which was referred to the Committee on Interstate Commerce.

Mr. STONE presented a petition of the Master Bakers' Protective and Benevolent Association of St. Louis, Mo., praying for the enactment of legislation to prohibit gambling in wheat and in options upon wheat for future delivery, which was referred to the Committee on the Judiciary.

He also presented a petition of the employees of the Mound City Engraving Company, of St. Louis, Mo., praying that a duty of 35 cents per pound be placed on view cards, which was ordered to lie on the table.

He also presented a petition of the employees of the Kansas City Post, of Kansas City, Mo., praying for the repeal of the duty on print paper and wood pulp, which was ordered to lie on the table.

He also presented a memorial of the St. Louis Advertising Men's League, of St. Louis, Mo., remonstrating against the enactment of legislation providing license fees for posted display advertisements and signs, which was ordered to lie on the table.

### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GUGGENHEIM:

A bill (S. 2537) granting an increase of pension to Niram N. Buttolph (with the accompanying paper);

A bill (S. 2538) granting an increase of pension to Samuel A. Stratton (with the accompanying paper); and

A bill (S. 2539) granting an increase of pension to Benjamin F. Noll (with the accompanying papers); to the Committee on Pensions.

By Mr. STONE:

A bill (S. 2540) granting an increase of pension to Samuel Durham; and

A bill (S. 2541) granting an increase of pension to Thomas Braswell; to the Committee on Pensions.

### PRICES OF AGRICULTURAL IMPLEMENTS.

Mr. CURTIS submitted the following resolution (S. Res. 56), which was considered by unanimous consent and agreed to:

Senate resolution 56.

*Resolved*, That the Secretary of Commerce and Labor be requested to transmit to the Senate any information in the possession of his department relative to the prices at which agricultural implements manufactured in the United States are sold in foreign countries.

### THE PHILIPPINE ISLANDS.

Mr. STONE. Mr. President, I have an article here by Mr. Erving Winslow, of Massachusetts, printed in the North American Review recently, relating to the Philippine Islands. We shall have that question up very soon on the pending bill. I ask that the article may be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Missouri asks that the article sent to the desk be printed as a document (S. Doc. No. 81).

Mr. KEAN. What is the article?

Mr. STONE. It is an article written by Mr. Winslow, of Massachusetts, dealing with our relations with the Philippine Islands.

There being no objection, the order was reduced to writing and agreed to, as follows:

*Ordered*, That the article, "The conditions and the future of the Philippine Islands," by Erving Winslow, be printed as a document.

### PORTO RICO POWER AND LIGHT COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, (S. Doc. No. 83), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

*To the Senate and House of Representatives:*

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico May 19, 1909, entitled "An ordinance amending an ordinance entitled 'A franchise granting to the Porto Rico Power and Light Company, its successors and assigns, the right to develop the water power known as "Comerio Falls," situated on La Plata River, for the generation of electrical energy, and to build, construct, erect, and maintain lines of wire for transmitting and distributing electrical energy for commercial and industrial purposes," approved by the governor May 24, 1909.

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

### TELEPHONE SERVICE IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States (S. Doc. No. 82), which was read and, with the accompanying paper, referred to the Committee on Pacific Islands and Porto Rico and ordered to be printed:

*To the Senate and House of Representatives:*

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of a joint resolution amending said act approved May 1, 1900 (31 Stat., 716), I have the honor to transmit herewith copy of an ordinance passed by the executive council of Porto Rico May 20, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Juan Bertran the right to construct, maintain, and operate a system of long-distance telephone lines between the playa of Yabucoa and the playa of Naguabo and their intervening towns and cities, together with local telephone systems in certain of said towns and local stations at other points.'"

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

### THE TARIFF.

The PRESIDENT pro tempore. The calendar is in order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

The PRESIDENT pro tempore. The pending paragraph is paragraph 318, page 108.

Mr. ALDRICH. The committee modify their amendment to paragraph 318 by striking out after the word "counted," in the

fifth line, page 109, down to the end of the paragraph, and inserting the language which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Rhode Island will be read.

The SECRETARY. It is proposed to amend the amendment on page 109, line 5, by striking out after the word "counted" the remainder of the paragraph and inserting:

In the ascertainment of any and all the particulars or descriptions upon which the duties, cumulative or other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

Mr. BRISTOW. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Crane	Hale	Penrose
Bacon	Crawford	Heyburn	Perkins
Beveridge	Cullerson	Hughes	Piles
Borah	Cullom	Johnson, N. Dak.	Root
Bradley	Cummins	Johnston, Ala.	Scott
Brandeggee	Curtis	Jones	Simmons
Briggs	Depeuw	Kean	Smith, Mich.
Bristow	Dick	La Follette	Smoot
Brown	Dillingham	Lodge	Stephenson
Burkett	Dolliver	McCumber	Stone
Burnham	Fletcher	McEnery	Sutherland
Burrows	Flint	Nelson	Tallaferro
Burton	Foster	Newlands	Taylor
Carter	Frye	Oliver	Warner
Clark, Wyo.	Gallinger	Overman	Warren
Clarke, Ark.	Gamble	Page	
Clay	Guggenheim	Paynter	

The PRESIDENT pro tempore. Sixty-six Senators have responded to their names. There is a quorum present. The Secretary will again read the amendment to the amendment offered by the Senator from Rhode Island in behalf of the Committee on Finance.

The SECRETARY. In paragraph 318, page 109, line 5, after the word "counted" and the comma, strike out the remainder of the paragraph and insert:

In the ascertainment of any and all the particulars or descriptions upon which the duties, cumulative or other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The next amendment to the paragraph will be stated.

The SECRETARY. In paragraph 318, page 108, line 23, the committee proposes to strike out the word "otherwise" and to insert "cut in lengths."

The amendment was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next amendment will be stated.

The SECRETARY. Paragraph 319, line 17, after the word "cotton," the committee proposes to insert "or other vegetable fiber."

The amendment was agreed to.

The SECRETARY. In line 21, after the word "coated," the committee proposes to insert the words "and cotton window hollands."

Mr. DOLLIVER. I should like to inquire what is the occasion of putting cotton window hollands in that paragraph?

Mr. ALDRICH. Because they are properly included in it as cloths that are filled. They are more expensive than most of the filled cloths and it is simply to give them the duty to which they are properly entitled.

Mr. DOLLIVER. I desire to say that the transfer of these window hollands, which are ordinary blinds, and hang over the windows of the homes of the people, including the blinds that hang over the windows in this Capitol, are very substantially increased in the amount of duty by this transfer to paragraph 319. I do not know of any reason for that. We make in the United States, practically without competition, all the ordinary varieties, and the only varieties that are imported are those varieties, I think, that are used by the United States Government, which are not made here for the reason that the market for them is very limited.

I believe it will be found upon examination that this increase of duty is not necessary for the protection of the two or three factories that are engaged in the manufacture of ordinary window hollands for the homes of our people.

Mr. ALDRICH. The cloths that are covered by this amendment are cloths which are filled and beetled and are extremely

expensive to make. The suggestion of the Senator from Iowa, it seems to me, furnishes the very best argument why this change should be made, that the Government of the United States is now buying foreign window shades because they are not made in this country, and can not be made under our present tariff.

Mr. DOLLIVER. I am informed by persons who are familiar with it that the reason why they are not made is because all the mills are occupied in this country in making ordinary window hollands.

Mr. ALDRICH. That statement is not correct. I will say that the change made by this amendment is simply classifying them where the law did intend to classify them and to relieve the matter from one of those decisions by which cloths of the same character have been placed in the countable provisions because they were not particularly specified as filled cloths. They are filled cloths, and they are not only filled, but beetled in addition to being filled, and they are very expensive. This is simply putting them in here by name for the purpose of giving them the duty to which they are entitled.

Mr. DOLLIVER. Does the Senator from Rhode Island deny that putting them in this paragraph increases the duty over what has been collected heretofore?

Mr. ALDRICH. Mr. President, it is exactly one of the cases we have been discussing here for four or five days, where filled cloth, because it was not put into the schedule by name, was held to be dutiable under the countable provisions of the act. That was never the intention of Congress; it is not the intention of Congress; and we are putting them in here by name for the purpose of giving them the duties to which they are entitled.

Mr. DOLLIVER. Will the Senator be kind enough to state whether these articles are now dutiable under the ad valorem provisions of the Dingley law as countable cotton?

Mr. ALDRICH. Unquestionably.

Mr. DOLLIVER. So that putting them in here—

Mr. ALDRICH. They are now dutiable by the decisions of the courts or the Board of General Appraisers. They are filled cloths, and were never intended to go into the countable schedules. I will not stop to characterize the decisions, but they have been put by them into paragraphs where they did not belong. This is simply an attempt to restore them where the law intended they should be, and where they ought to be.

Mr. DOLLIVER. Mr. President, these cloths are very varied in value. Some of them are very cheap and some of them are quite expensive. I call the attention of the Senate to the fact that the duty ought to be an ad valorem duty, or else there ought to be dividing lines. Otherwise cheap window hollands, now adequately protected, under these specifics will bear a rate of duty that would be astonishing to anybody really engaged in trying to moderate and reduce some of these tariff schedules.

Mr. ALDRICH. The duty under this provision can not be over 50 per cent in any case. It is another one of these attempts to deceive the Senate as to the effect of the change. It is simply a change in window shades. They are not blinds at all; they are window shades, filled shades, filled and beetled, and made in the most expensive way. Heretofore the foreign price I know of is in the neighborhood of 10 cents a yard, and at 10 cents a yard the duty now proposed would be 50 per cent ad valorem.

Mr. DOLLIVER. I think the Senator is in error in relation to those prices. I think I will be prepared in a moment to state exactly what they are. It is obvious that whether they are 50 per cent or less depends altogether upon the calculation of the equivalent upon the specific 3 cents per yard assessed upon these goods.

I do not desire now to do more than make a modest protest against the proposed transfer to the paragraph, under circumstances which can be shown substantially increases the duties on all and to very alarmingly increase duties upon those of moderate prices, which the people are accustomed to use.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. DOLLIVER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. JOHNSTON of Alabama (when Mr. BANKHEAD's name was called). My colleague [Mr. BANKHEAD] is unavoidably absent. He is paired with the junior Senator from Nevada [Mr. NIXON]. If my colleague were present, he would vote "nay."

The PRESIDENT pro tempore (when Mr. FRYE's name was called). The junior Senator from Maine [Mr. FRYE] is paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I transfer my pair to the Senator from Connecticut [Mr. BULKELEY], and vote "yea."



Mr. SIMMONS (when his name was called). I inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. SIMMONS. I am paired with that Senator.

Mr. NELSON. If the Senator from Minnesota [Mr. CLAPP] were here, he would vote "nay."

Mr. SIMMONS. I will vote. I vote "nay."

Mr. WARREN (when his name was called). I am paired with the senior Senator from Mississippi [Mr. MONEY]. I do not see him in the Chamber, and I withhold my vote.

The roll call was concluded.

Mr. DILLINGHAM. I inquire if the senior Senator from South Carolina [Mr. TILLMAN] has voted?

The PRESIDENT pro tempore. The Chair is informed he has not.

Mr. DILLINGHAM. Then I withhold my vote. Otherwise I would vote "yea."

Mr. CURTIS. I desire to announce that the Senator from Indiana [Mr. SHIVELY] is paired with the Senator from Montana [Mr. DIXON], and that the Senator from Oklahoma [Mr. OWEN] is paired with the Senator from Delaware [Mr. DU PONT].

Mr. DEPEW. I am paired with the Senator from Maryland [Mr. RAYNER]. I transfer my pair to the Senator from Oregon [Mr. BOURNE] and vote "yea."

The result was announced—yeas 41, nays 26, as follows:

## YEAS—41.

Aldrich	Cullom	Johnson, N. Dak.	Root
Borah	Curtis	Jones	Scott
Bradley	Depew	Kean	Smith, Mich.
Brandeggee	Dick	Lodge	Smoot
Briggs	Elkins	McCumber	Stephenson
Burnham	Flint	McEnery	Sutherland
Burrows	Foster	Oliver	Warner
Burton	Gallinger	Page	Wetmore
Carter	Guggenheim	Penrose	
Clark, Wyo.	Hale	Perkins	
Crane	Heyburn	Piles	

## NAYS—26.

Bacon	Culberson	Hughes	Paynter
Bailey	Cummins	Johnston, Ala.	Simmons
Beveridge	Dolliver	La Follette	Stone
Bristow	Fletcher	McLaurin	Taliaferro
Brown	Frazier	Nelson	Taylor
Burkett	Gamble	Newlands	
Clay	Gore	Overman	

## NOT VOTING—24.

Bankhead	Crawford	Frye	Richardson
Bourne	Daniel	Martin	Shively
Bulkeley	Davis	Money	Smith, Md.
Chamberlain	Dillingham	Nixon	Smith, S. C.
Clapp	Dixon	Owen	Tillman
Clarke, Ark.	du Pont	Rayner	Warren

So the amendment of the committee was agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph as amended will be agreed to.

Mr. DOLLIVER. Mr. President, I desire to be heard on that question for a moment.

I dislike exceedingly to be put in the position of placing my dictum or the conclusion in my own mind against the maturer judgment and opinion of the honored Senator from Rhode Island [Mr. ALDRICH].

I called attention a moment ago to the fact that this transfer of window hollands from the paragraph in which they had comfortably reposed for a good many years, namely, from paragraph 306 of the Dingley law, where they are dutiable at 2½ cents a yard, to this paragraph, operates to unnecessarily and somewhat alarmingly increase the duties on the article of window hollands, which hang in the homes of so many of our people. I did not at the moment have at hand the exact facts which I now desire to lay before the Senate.

I am not subject to any embarrassment on account of presenting the facts after the vote has been taken, because I have had experience in a cold world sufficient to enable me to say that it is just as well to throw light on the subject after the transaction is over as before.

Now, there [exhibiting] is a sample of white or bleached window holland, and there [exhibiting] is a sample of colored—yellow window holland. These are the ordinary grades in which holland stuffs are made in the United States and used in the United States. I think the exact English selling price of the bleached ones is equal to 10.1 cents a yard, as the article is valued at our custom-house. The Dingley rate was 2½ cents a yard under paragraph 306, because it has a count of from 100 to 150 threads and weighs 4 square yards to the pound. What does the transfer of these commonly used articles to paragraph 319 actually do? It assesses a rate of 3 cents a square yard and 20 per cent ad valorem, which is equivalent to 5 cents. Besides that, under paragraphs 318 and 321, I think it would obtain an

additional 1 cent as goods subjected to a process similar to mercerization; but I will not be sure about that—

Mr. ALDRICH. No; I think not.

Mr. DOLLIVER. Because that has been disputed; but there have been so many questions disputed by our Board of Appraisers that I do not understand, for the life of me, with what confidence we can say how soon the Board of Appraisers will determine that almost any process is similar to mercerization. So here we have a rate of 3 cents a square yard and 20 per cent ad valorem, equivalent to 50 per cent ad valorem, whereas the present ad valorem is only about 25 per cent. If these window hollands are colored or dyed, the English selling price of such a one as I exhibit here is 10.728 cents, and the Dingley rate under paragraph 306 is 3½ cents a yard, which equals an equivalent ad valorem of 32.62 per cent. The Senate rate proposed under paragraph 319 is 3 cents a yard and 20 per cent ad valorem, equivalent to 5.144 cents per yard. Leaving out what I think is a disputed question, whether these articles are liable under paragraphs 318 and 321 as articles subjected to a process similar to that of mercerization, the transfer of these articles from one paragraph to the other operates to make, as you will observe, a very substantial increase in these rates. I think it is unnecessary, because these grades of articles are not imported. There are only two or three factories making these window hollands in the United States. They make no effort to make the high-grade class, because the market is very limited and the profits are very small. It is proposed, however, to increase the duties on all of them. I do not even admit that it is necessary to increase the duties on those that are of the higher grade, because the higher the grade the greater the price; and as the Dingley ad valorem rate advances, if they are subject to the ad valorem rate, I believe an adequate protection would be guaranteed; but as the higher ones probably would fall under the paragraphs including the ad valorem of the act of 1897 and as they increase in price, the ad valorem would state their protection in steadily increasing duties. Therefore I do not believe that it is right—I do not think it ought to be done—to make all of these duties specific, a certain amount per square yard, whether they are cheap or moderate in price or very costly. It operates to increase the duties and to very unnecessarily stimulate the duties on the ordinary or common grades.

Mr. ALDRICH. Mr. President, I do not intend to take up much time in this post-mortem discussion. The Senator from Iowa has read directly from a statement of the importers as to the value of these articles and the rates which they paid prior to the year 1900, when the decision to which I have referred was made. The Senator follows the statement of these gentlemen in their mistakes and in their extravagant misstatements. Up to 1900 these goods were dutiable under the filled-cloth provision at the same rate which they now have. In 1900, in the case of *The United States v. Pinney*, it was held that these filled cotton cloths were not identical with the Scotch hollands and the King's hollands, which are covered by this provision. In the first place, these cloths would not be dutiable at 2½ cents per square yard. If they were valued at 10 cents as bleached cloths, under the act of 1897, before this decision was made, they had been dutiable at 30 per cent ad valorem, instead of 2½ cents per square yard. By the change which we have made in the act, the Senate has voted deliberately into the act rates which would have been almost as great as they are under this provision; but, as I stated before, this is another one of those cases where the courts misinterpreted the plain intention of Congress; and we have these importers here in their statements and briefs to protest against the rectification being made.

Mr. SMITH of Michigan. Mr. President, will the Senator from Rhode Island permit a question?

Mr. ALDRICH. Certainly.

Mr. SMITH of Michigan. I should like to ask whether this class of goods comes within the range of the statement made by Mr. Parkhill and others on Saturday.

Mr. ALDRICH. No; it is not covered in that at all. This is another case which was not covered in the statement by Mr. Parkhill. It involves the same principle, however.

Mr. DOLLIVER. Mr. President, I would not myself hesitate to present to the Senate a statement of facts about the dry goods business made by reputable merchants importing cotton goods, if I had reason to believe they were the truth. There can be no important merchant in New York connected with the dry goods business who is not vastly more interested in the domestic trade than he is in the foreign trade. The city of New York handles 80 per cent of the cotton cloths manufactured in the United States directly, and, of course, no merchant could be of very much importance there who had not more interest in the \$500,000,000 worth which we produce in the United States than he has in the pitiable amount of \$14,000,000 worth which

are annually imported into the United States of cotton cloths; but, curiously enough, I am not now relying on statements made by an importer. I am relying upon the statements made by Frederic B. Shipley, of 49 Leonard street, New York, who appears to be acting for a majority of the American manufacturers of window shades and dealers in shade cloths.

Mr. ALDRICH. Does the Senator from Iowa know that that man is an importer?

Mr. DOLLIVER. Does the Senator know that he is acting or not acting for a majority of American manufacturers of window shades and dealers in shade cloths?

Mr. ALDRICH. This statement itself shows that there are only two such manufacturers in the United States.

Mr. DOLLIVER. Of window hollandes?

Mr. ALDRICH. Of window hollandes; and he certainly is not acting for either of those, according to his own statement. Now, who are the manufacturers for whom he is acting? He says there are only two in this country.

Mr. DOLLIVER. The manufacturers of window shades and dealers in window cloths, I suppose, who are not included within the favorable provisions of the amendment which the Senator from Rhode Island has just offered.

Mr. ALDRICH. This gentleman's own statement says that there are only two such manufacturers in the United States, and yet he says he is acting for a majority.

Mr. DOLLIVER. Does he tell the truth about that?

Mr. ALDRICH. He does not in any way.

Mr. DOLLIVER. How many manufacturers of this character of goods are there?

Mr. ALDRICH. I say he does not tell the truth when he says he is acting for a majority of the American shade manufacturers.

Mr. DOLLIVER. Does he tell the truth when he says there are only two manufacturers of those window hollandes in the United States?

Mr. ALDRICH. There may be three of them, I think; but whether there are three or thirty makes no difference in this discussion.

Mr. DOLLIVER. He does not purport to be acting for the manufacturers of window hollandes, but he says he is acting—and this has not been disputed, although it has been sent to every Senator here for weeks—he says that he is acting for a majority of the American manufacturers of window shades and dealers in shade cloths. It may be the American manufacturers of goods competing with these hollandes are disturbed in their minds when they find the window-holland people receiving this new protection, when they themselves seem to be omitted from the calculation. Nobody can tell what their motive might be.

Mr. SMITH of Michigan. Mr. President, I want to ask the Senator from Rhode Island [Mr. ALDRICH] again, whether the statements made by Mr. Parkhill and his associates in the General Appraiser's office with reference to increased rates over the Dingley law, as originally passed, were intended to apply to the paragraph which we are now discussing?

Mr. ALDRICH. They do.

Mr. SMITH of Michigan. And if they do apply, as a matter of fact they are not raising the rates?

Mr. ALDRICH. That is absolutely true.

Mr. SMITH of Michigan. I want to say one thing more. I received this circular, about which the Senator from Iowa [Mr. DOLLIVER] has spoken, from Shipley & Co., but I did not receive it until yesterday morning. I do not know what the experience of other Senators may be, but it came to me by mail yesterday morning.

Mr. DOLLIVER. I think I have had it for almost a month.

Mr. SMITH of Michigan. I did not understand that.

Mr. ALDRICH. Probably the Senator from Iowa got an advance copy.

Mr. DOLLIVER. I got the copy that was sent. There was no concealment about it, and there has been no concealment.

Mr. BEVERIDGE. Mr. President, just a word in reference to the question whether the intention of the law as originally passed has been changed or not. Until Saturday I had assumed, upon the authority of those who had studied this matter, that it was quite true that the original intent of the law had been modified, or was mutilated—to use the stronger language of the Senator from Rhode Island—by these decisions; but on Saturday the Senator from Iowa [Mr. DOLLIVER] showed by the original notes of Colonel Tichenor, which are in his possession, that the decisions which we have heard so bitterly assailed to the very limit of language used with reference to court decisions, not only did not mutilate, but actually restored the original intention; and that the original intention which those court decisions restored, instead of having been destroyed, was, in fact, destroyed by the interpretations and the administration

of the law under one Hartshorne, who, as I understand—if I am wrong I will be corrected—was interested in the linen business. So that the law is now administered under these decisions of the courts of which so much complaint has been made, but which, according to the comparison of those decisions with the original notes of Colonel Tichenor, have restored the original interpretation of the law.

That, Mr. President, would seem to be borne out by the statement of Mr. Lippitt, made before the House committee, when he says, as we all remember, that this law has now run the gamut of the courts; that its terms are well defined by judicial interpretation, and, with the exception of some minor instances, they do not want it changed; that the industry has flourished under it.

My mind was called to that inquiry by the suggestion, which seems to be generally accepted—and, to be frank, which I was greatly impressed with myself until the Senator from Iowa, on Saturday, showed by original documents to the contrary—that the original intention was being restored. That remark was merely called out by the suggestion of my friend from Michigan [Mr. SMITH].

Mr. ALDRICH. I am greatly pleased and encouraged to think that at any stage in the discussion of any of these paragraphs the Senator from Indiana has been inclined to be with the committee. Of course, he never has retained that opinion up to the voting time, but the fact that he has had any question or doubt about these matters is an encouraging sign, and I think as time progresses he may, perhaps, be able occasionally to vote with the committee.

Mr. BEVERIDGE. Mr. President, I am sorry that my friend from Rhode Island, whom personally I very highly esteem, as he knows, has made that remark, because it compels me to say just one or two words. I think—I know it is true of myself—that every Republican Senator here would greatly prefer to vote with the committee. That is the usual course, and all Senators prefer to follow the committee when they can. But, Mr. President, we can not follow the committee when, upon a balance of the arguments and facts, it appears to be wrong to the judgment and conscience of any Senator. When that appears to any Senator, not even the Senator from Rhode Island, with his great ability and position, ought to make an appeal to a Senator to vote against his judgment or his conscience, much less rebuke him.

Mr. President, I will state to the Senator an instance that I now at this moment recall. Where upon the statements at first made it appeared to me, and I am sure to others, that the committee amendments were right—one of them was on raisins—the statement by one of the members of the committee seemed to make a conclusive case. I called attention to the fact that each statement of fact as it was made was unanswerable, and that all of them made a complete case. Yet the next morning that case was torn so completely to pieces that the Senator who made the principal statement, and whom I profoundly esteem for his industry, ability, and integrity, admitted that they were wrong. I wondered how upon that case thus concluded even the Senator from Rhode Island could vote for his own amendment.

Another one was carbons. I will not take time now—because this is a digression brought out by the suggestion of the Senator from Rhode Island—but it appeared that a complete case had been made, and the capsheaf was put upon that case by the statement that the rate recommended by the Senate committee amendment had been agreed to both by the producers and the consumers. If that were true, certainly no Senator would feel justified in voting against such an amendment, whether it came from the committee or the humblest Senator here; but upon fifteen minutes' investigation it was found that the vast majority of the consumers were not represented. So when questions of fact like that, as basic and as fundamental, have been overturned, then not only are Senators released from their inclination to vote with the committee, but it becomes an absolute duty not to vote with the committee. The usual course of action in this or any other legislative chamber is always controlled by the sum of the facts.

I wish the Senator had not made the remark. The Senator will recall when, in the most earnest good faith, Senators have arisen here to ask for some information about a certain committee amendment, the course was pursued almost for weeks of answering the requests, not with a full presentation of the facts, but rather with something in the nature of a sneer and a rebuke. That is not only not the way to pass a great business measure, but it is not the way to treat individual Senators. Each one of us upon this floor must concede to the others that we are equally in earnest and that we are equally determined to do our duty.

I think that that is all that I will say at this particular



moment, except to call attention again to the fact, which the Senator from Rhode Island did not refer to when I called attention to it, that, instead of these decisions mutilating the original intention of the Dingley law, the Senator from Iowa [Mr. DOLLIVER]—and most of the Finance Committee were absent when he did it, although he called for them—demonstrated from the original notes that those decisions restored the original intention, and that the original intention in fact was destroyed by the administration of one Hartshorne; that this maladministration for about six years had been under his interpretation and administration; that it was his interpretation and administration which the courts overthrew; and it was the original intention of the authors of the law which the courts restored.

Mr. LODGE. Mr. President, on that precise point Mr. de Vries reversed the ruling of Mr. Hartshorne and the court reversed Mr. de Vries in the principal case, in which it was held that that colored fabric which the Senator from Utah showed here was a countable fabric and came in under the count of white threads, although it was elaborately colored and embroidered. A review of that case has just been refused by the Supreme Court, and the decision has been made final, which entirely overthrows the rulings of Mr. de Vries, which corresponded with those of Colonel Tichenor and with the original interpretation of the law. That case alone, I was informed by counsel who appeared against the Government, involved some \$500,000.

Mr. ALDRICH. Mr. President, at this point and in answer to the suggestion made by the Senator from Indiana, if he desires to have some information upon this matter—

Mr. BEVERIDGE. I do.

Mr. ALDRICH. I want to read from Colonel Tichenor's own statement of the facts. This is a decision of the Board of General Appraisers made by Colonel Tichenor himself.

Mr. BEVERIDGE. The Senator will excuse me if I call the attention of the Senator from Iowa [Mr. DOLLIVER] to that, because this statement was made by the Senator from Iowa, as the original notes show.

Mr. ALDRICH. I do not care who made it; I want to show what the facts are.

The board has uniformly held that cotton cloth, whether containing colored threads in the different forms of figures, stripes, checks, or otherwise, and whether covering much or little of the surface of the fabric, were dutiable under the tariff provisions for colored cloths, and these decisions accord with the action of the classifying officers of the customs at the several ports and the rulings of the Treasury Department covering a period of many years and under different tariff acts containing provisions for cotton cloths similar to this present act.

That is as to the precise grades of colored cloth which have been here under discussion, and it shows what the opinion of Colonel Tichenor was.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The Secretary will state the next paragraph passed over.

The SECRETARY. Paragraph 321, page 110.

The PRESIDENT pro tempore. Without objection, the paragraph as amended will be agreed to.

Mr. DOLLIVER. What paragraph is that?

The PRESIDENT pro tempore. Paragraph 321.

Mr. DOLLIVER. Mr. President, I think that is the paragraph which contains the provision for the assessment of a cent a yard on cloth mercerized, and I desire to offer an amendment striking out the last clause, beginning in line 3, page 111, the words "on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard."

Mr. ALDRICH. This paragraph has been agreed to, but I have no objection to having it reconsidered.

Mr. DOLLIVER. When was it agreed to?

Mr. ALDRICH. I understood it was agreed to just a moment ago.

The PRESIDENT pro tempore. The Chair will regard it as open.

Mr. ALDRICH. I understand that. I was not making objection at all. I was making the suggestion that, if it was necessary to reconsider, I would make the motion myself.

Mr. DOLLIVER. Mr. President, in order to understand that paragraph it will be necessary to turn back to paragraph 318, where this mercerizing process is described, and if Senators interested in the subject will look at line 11 they will find the words:

The terms bleached, dyed, colored, stained, mercerized, painted, or printed, wherever used in the paragraphs of this schedule, shall be taken to mean all cotton cloth which has been subjected to any of these processes, or which has any bleached, dyed, colored, stained, mercerized, painted, or printed thread or threads in any part of the fabric.

Now, it is proposed to assess 1 cent a yard—

Mr. ALDRICH. If the Senator will permit me, he may not have been in the Chamber when the committee offered an amendment to the paragraph which the Senator is now discussing, which I think it would be well to have read, perhaps.

Mr. DOLLIVER. I would be glad to have it read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The SECRETARY. On page 109, in line 5, an amendment has already been agreed to after the word "counted" and the period, to strike out the remainder of the paragraph and insert:

In the ascertainment of any and all the particulars or descriptions under which the duties, cumulative and other, imposed upon cotton cloth are made to depend, the entire fabric, and all parts thereof, and all the threads of which it is composed, shall be included.

Mr. DOLLIVER. Well, Mr. President, I do not hesitate to say that that amendment is in the right direction, but I do not think it makes any difference in the matter to which I now desire to call the attention of the Senate. I am free to say that I would hardly claim the attention of the Senate if this additional assessment of 1 cent a yard was on mercerized cloth alone, but it is not on mercerized cloth alone. The same assessment is made on other kinds of cloth, provided they contain even a single thread of mercerized yarn.

I showed here on Saturday by reading a letter sent to the Committee on Finance by Littauer & Co., who are converters of American cotton cloth in New York City, that the cost of the mercerization of cloth in the United States is less than it is in Bradford and in Manchester. Not a word in dispute from the committee has been heard in respect to that question. I called the attention of the Senate to the fact that the committee had failed to lay before the Senate the information which they obtained at the expense of the Government by telegraphing to everybody in the United States familiar with the cost of mercerizing cloth. I ask the committee now to lay that information before the Senate for what it is worth.

One of the replies was from the firm A. L. Reid & Co., large converters of cotton cloth in the city of New York, giving exactly what the cost of mercerizing cloth was and stating that it varied from one-eighth of a cent to three-fourths of a cent per square yard; and yet upon a process upon which the entire cost is less than 1 cent it is proposed to levy an extra duty of 1 cent. I do not think it is right; I do not think it is fair to the American people. If that were all, I might be constrained to make less noise about it, but these amendments go further. They not only put a cent on every yard of mercerized cloth, but on every yard of cloth that contains a single mercerized thread in its fabric.

Mr. LODGE. The Senator does not mean to imply that that provision is an amendment reported by the Finance Committee?

Mr. DOLLIVER. It is an amendment to the Dingley law.

Mr. LODGE. But I thought the Senator was speaking about the provision levying a duty of 1 cent on all cotton cloth on page 111. That is not an amendment of the Senate committee.

Mr. DOLLIVER. I am not talking about that. I say it is an amendment to the Dingley law, and I move to strike it out for that reason.

Mr. LODGE. I beg the Senator's pardon. I thought he said it was an amendment of the Finance Committee.

Mr. DOLLIVER. No; it is simply an amendment that was found upon due consideration by the members of the Finance Committee to be well and truly made; and I am disputing not only with the Finance Committee, but I am disputing the wisdom of an amendment of the Dingley law in that particular. As the House passed it, it would have been comparatively innocuous, because it placed a duty of 1 cent a yard on cotton cloth; but the Senate Committee on Finance, in the previous paragraph, has enlarged the scope of it and made it applicable, not only to a yard of cotton cloth, but to every yard of cloth that contains one thread of mercerized yarn.

On Saturday, I am sorry to say, in the absence of my honored friend from Massachusetts, I exhibited to the Senate a piece of cotton cloth with a mercerized thread running through it giving little lines of gloss to the cloth 1 inch apart. It was a common everyday American shirting, made, as I have said, in the United States by the millions of yards, for the millions of people. They put 1 cent a yard upon that cloth, not because it was mercerized cloth, but because it contained two yarns of mercerized thread in it.

That cloth was bought in vast quantities last week of the leading manufacturer of Pawtucket, R. I., and a bill accompanied it in which it appeared that the cloth without that mercerized thread in it was worth 8 cents a yard, and with the mercerized thread 8½ cents a yard. It was not a speculative transaction.

Mr. ALDRICH. Does the Senator say a mill in Rhode Island?

Mr. DOLLIVER. I think so.

Mr. ALDRICH. I would be glad to know the name of the mill.

Mr. DOLLIVER. My honored friend the Senator from Rhode Island would have appeared glorious and beautiful on last Saturday, when I exhibited the cloth to the Senate of the United States and made myself personally responsible—

Mr. ALDRICH. Did the Senator give the name of the manufacturer?

Mr. DOLLIVER. I think I did; and if I did not, and if my secretary will produce the sample, I will present it. I am delighted to have the Senator's attention. I never felt more humiliated in my life than when the Senator, who has always been kindly and well disposed toward me, turned his back on the argument for which I had made such elaborate preparation.

Mr. ALDRICH. I am sorry to have incurred the displeasure of the Senator from Iowa.

Mr. DOLLIVER. While I am waiting, I will say that, of course, it was very embarrassing for me to exhibit it once in the Senate. It was a common, everyday, cheap kind of a thing to do. But that does not measure my distress when I am compelled to bring it in again. I am compelled to do it.

It was no transaction in air. It was a transaction made a week ago by one of the greatest merchants in New York City with one of the greatest cotton manufacturing establishments in New England, and the proposition was that these goods, with these mercerized threads, were 8½ cents a yard. If you want the same goods without the mercerized threads, you can have them for 8 cents a yard. There is a little thread in there which, in the actual course of trade going on in the United States to-day, adds one-eighth of a cent, which, by your committee amendment, is treated with a specific assessment of 1 cent, and those of you who are familiar with the rules of arithmetic, which have suffered so much at the hands of the committee, know that is 800 per cent on this little process of mercerizing one thread.

Mr. BEVERIDGE. Does the Senator mean to say from one-eighth to 1 cent?

Mr. DOLLIVER. I mean to say in that little cotton cloth, such as is bought by the millions in the United States, those stripes are made by two-ply yarns, mercerized, and woven into that cloth by the loom that wove the cloth itself. This cloth was manufactured by the Whitman Mills. It is gray cloth coming from the Whitman Mills in the United States.

Mr. ALDRICH. Where are they located?

Mr. DOLLIVER. I think they are located in Rhode Island. Where are they located?

Mr. LODGE. New Bedford.

Mr. DOLLIVER. That is within a few miles of the residence of my honored friend. I have not been one of those who blamed the Senator or criticised him because there are cotton mills in Rhode Island—

Mr. BEVERIDGE. The point is they were made by American mills.

Mr. DOLLIVER. They were made by American mills and are sold to Americans to-day with only one-eighth of a cent a yard difference on account of the presence of these mercerized threads. And yet what is proposed by this committee—and I have no doubt the Senate will go right along with it. I have come to the conclusion that these matters may as well be left without debate, although I do not want to leave them without a statement. This piece of cloth, which has had one-eighth of a cent added to its cost by reason of the mercerized thread, is subjected to the same duty for mercerization as are those magnificent white vestings which were exhibited in this Chamber by the Senator from Massachusetts.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. In relation to mercerization, or the number of threads that may be in a square inch or a square yard of cloth, it would be absolutely impossible to administer the law if we were to count the number of threads. It is just the same as with a piece of embroidery. If even an initial is put upon cloth it must come in as embroidered cloth. So it is with mercerized threads and a piece of cloth. If it is mercerized at all, the only way to administer the law practically is not whether there are 10 threads or 100 threads. Local competition between mills will take care of a piece of cloth that is advanced in value one-eighth of a cent.

Mr. DOLLIVER. The distinguished Senator from Utah intimates there is no way of assessing these goods except specifically. I made a fight here on Saturday, a fight in which my

friend, the Senator from Utah, participated in part, in which I undertook to show the folly of having specific duties upon goods varying as these goods do in value, a folly so well recognized that the committee would not suggest such a thing with reference to woolen cloths, and it never has done any such thing in the history of the Government. And yet he says it is impossible so to frame this law that an increase of value of one-eighth of a cent should be treated differently from an increase of 12 cents a yard, such as my friend, the Senator from Massachusetts, pointed out the other day.

Mr. ALDRICH. I am sure the Senator wants to be perfectly accurate.

Mr. DOLLIVER. I do. I assure the Senator that all I desire to do is to get this matter in such shape as to defend it before the community, as I have defended the protective-tariff policy in the United States for thirty years.

Mr. ALDRICH. The Senator says no such rule is applied to woolen cloth. The same rule, since 1900, has been applied to woolen cloths, by brackets, as to value, always—

Mr. SIMMONS. Mr. President, it is impossible from where we are to hear the Senators.

Mr. ALDRICH (continuing). Not as close together as these, because these are put close together to avoid undervaluation.

Mr. DOLLIVER. Does the Senator deny that all through the woolen schedules the ad valorem appears as the manufacturer's protection?

Mr. ALDRICH. I am not talking about that. We have applied different rates of specific duties as to values.

Mr. DOLLIVER. What I have been talking about is that through the woolen schedule we have 50 per cent ad valorem, 35 per cent ad valorem, always, where the variety is so great as to baffle anybody's ingenuity to fix dividing lines.

Mr. ALDRICH. We may have them in the woolen schedule, but we have never had them in the cotton schedule, and the decision of Colonel Tichenor shows—

Mr. DOLLIVER. My honored friend the Senator from Rhode Island certainly has overlooked the fact that in every paragraph of the Dingley cotton schedule there was, after a few specifics upon the lower grades of cloth, a comprehensive ad valorem upon cloths of given values.

Mr. ALDRICH. That is not the question which is now before the Senate. The question now before the Senate, upon the proposition of the Senator from Iowa, is that mercerization and colors of every kind should not apply here, except—I do not know what exception he does want to make; unless there are a great many mercerized threads or a great many colored threads in the fabric. That is precisely the question which Colonel Tichenor decided in the decision which I have read. Let me read it again, because I think the Senator failed to catch the import of that decision:

The board has uniformly held that cotton cloth, whether containing colored threads in the different forms of figures, stripes, checks, or otherwise—

He does not say two threads or four threads or a hundred threads. The law has been uniformly enforced in this country, up to the decisions which I referred to the other day, that any colored threads in a piece of cloth made it dutiable as colored cloth, and there is no other possible way to administer these laws practically.

Mr. DOLLIVER. As I said before, the Dingley law, after a few specifics upon cheap goods, included all the rest of the cloths in ad valorem rising from 25 to over 40 per cent.

Mr. ALDRICH. But the Dingley law in some cases made specific duties on goods at 20 cents a yard, and those goods the Senator says are worth only 8 cents. They would come in under the Dingley law under specific duties as well as under the amendment which we have adopted.

Mr. DOLLIVER. So that if processes of painting or dyeing or mercerizing add anything to the value of the goods, if we had not struck those ad valorem out, that additional value would have been caught by the ad valorem and reported at the custom-house with absolute accuracy.

Mr. ALDRICH. But the specific rates did cover the piece of cloth which the Senator holds in his hands, and as demonstrated by Colonel Tichenor and everybody else, if they contain one colored thread, they would pay the rate of duty on colored cloth. The decision made the other day nullified that and permitted the importers to bring into this country articles of the kind suggested.

Mr. DOLLIVER. I am not talking about colored goods.

Mr. ALDRICH. The same rule applies to mercerization.

Mr. DOLLIVER. I do not so understand it.

Mr. ALDRICH. The same rule applies to both under this law and under this bill, and we do not seek to establish any different method by this bill. By the way, the Senator must remember that this is not a committee amendment. The pro-



visions which he proposes to change are provisions of the House bill. The provision of the House bill said 1 cent a yard on mercerized cloth, and it takes 1 cent a yard on mercerized thread by reason of the amendment.

It was 1 cent on all mercerized threads, by the similarity, under all the laws which we have had until reversed by the case stated here the other day, which allowed the importer to bring in goods that were clearly colored goods at the rate of gray goods; and that is what the Senator's rule would make possible in this case. You would have goods imported with mercerized threads all through them, with a superimposed mercerized thread; we would go back to that condition of affairs where importers might bring to this country goods with a warp and filling thread gray and all the rest of the threads mercerized. That would be the effect of the suggestion made by the Senator from Iowa.

Mr. DOLLIVER. Whenever the Senator gets into those decisions, I feel the pressure of the fog and the darkness that settles down over every man's mind who hears him. I do not intend to follow him any further. I went into those decisions Saturday, and stayed in the dust and fog that had accumulated there until I was out of breath. I do not intend to go back to it. I know exactly the effect of every one of those decisions. They do not throw any light on this situation. I am going to ask the Senator from Rhode Island to throw some. He is a fair man; he wants to help everybody to come to a right conclusion. He does not deny what I say about this sample.

Mr. ALDRICH. About this sample, if the Senator wants my opinion about it—

Mr. DOLLIVER. Yes.

Mr. ALDRICH. If it shows anything at all, it shows that the manufacturers in the United States can compete on that kind of goods with anybody in the world. But the sample does not affect another thing. If the Senator has his way, if that cloth contained 99 mercerized threads, superimposed, and only 1 thread that was not mercerized in the warp and filling, then it would be imported into the United States without any additional duty for mercerization.

Mr. DOLLIVER. If I had had my way on Saturday, every additional cent added to the value of this cloth, whether by mercerization or any other process, would have been hospitably received into the ad valorem rate provided for this grade of goods by Governor Dingley's provisions.

Mr. ALDRICH. It is rather late, I think, for the Senator from Iowa, or any other Senator who believes at all in the protective-tariff idea, to say that ad valorem rates should ever be used when specific rates can be used. The Senator from Iowa knows, if he knows anything, that ad valorem rates have been the basis of the grossest undervaluations by which—

Mr. DOLLIVER. They are not the basis of the undervaluation of sugar and silk, however.

Mr. ALDRICH. Sugar and silk are specific. Sugar is specific.

Mr. DOLLIVER. Was the Treasury ever robbed anywhere as much as it has been on those specific assessments on silk and sugar?

Mr. ALDRICH. We had an ad valorem rate on silk always.

Mr. DOLLIVER. Not always; some parts of it.

Mr. ALDRICH. Yes. Recently we have had some specifics on some. But until recently they were on all. I do not mean to say that specific rates prevent frauds of other kinds. Does the Senator think that the weighing frauds are either stopped or facilitated by either specific or ad valorem duties? I am talking about the principle which underlies every protective tariff, that duties should always be specific when they can be and never ad valorem, and in the statement which I made on Friday night I showed conclusively how the Treasury of the United States had been depleted, to use a very mild term, by this system of ad valorem rates, and I beg the Senate not to return to it.

Mr. DOLLIVER. There is no danger in the world of the Senate returning to them. The Senate is in a frame of mind in which it is not likely to turn very far away from what the Senator from Rhode Island suggests. So I do not want him to misinterpret my enthusiasm. I think I know something about the value of ad valorems in a protective-tariff law. I learned from Governor Dingley that ad valorems were very useful where the value could be ascertained, and where there was a large range of values settled with reasonable accuracy the ad valorem was an ideal way of catching all stages of value. I learned also that specifics were of no account unless you could get an equivalent ad valorem. The French Government spent five years doing for that nation what Judge de Vries has spent six weeks trying to do for the Senate of the United States.

The French Government standardized these values at all the ports of France, so that when they named a specific it would represent a well-ascertained equivalent ad valorem. But I am not going to discuss that.

I am going to ask the Senator a question. It is, whether he thinks it is right, seeing the general character of that shirt goods, to assess 1 cent to protect the manufacturers of it against foreign competition, when the total difference in the price of the article mercerized and not mercerized is only one-eighth of a cent a yard? In other words, does he want us to shut our eyes and deliberately vote a protection on this process of 800 per cent?

Mr. ALDRICH. I will answer that question very frankly. If this provision as to mercerization applied only to that piece of cloth which the Senator has exhibited here, then I would answer no. I would not do it. But that is a very unusual case. Certain cases can be suggested in any class of articles which bear a specific rate of duty. I will say to the Senator that not 1 per cent, not one-tenth of 1 per cent of the goods mercerized that come into the United States would be covered by articles such as he has suggested. Of course, that could never be imported under the provisions of this act; and the provisions of every act which has been passed from 1861 down to the present time would do the same thing with regard to colored and bleached goods as we are now proposing to do as to mercerized goods. It would be simply impossible for this committee or anybody else—the French Government or anybody—to have a scale of specific duties on mercerized goods that would commence with 1 thread in the article, and then for 2 threads and then for 3 threads and up to 100 or 300 threads.

Every Member of the Senate can see, as a matter of fact and as a matter of administration, it is simply absurd and impossible that we should have such a tariff with regard to mercerized goods. It would be as long as this whole bill if we undertook to provide for one single thread, two threads, and three threads; and if we did the same thing in regard to colored goods—bleached goods—this bill would be interminable. You have to apply a rule, a rule which in its main effects and its main provisions is just and equitable. If it levies specific duties, as I said last Friday night, there will be high and low points in it. You would show a high rate of equivalent ad valorem at one point and a low rate at another. Goods are not imported at these high rates. A cloth of that kind [indicating] could not be imported, and there would be no reason for importing it.

Mr. DOLLIVER. It can not be imported now.

Mr. ALDRICH. I presume not. I presume the Senator is right about that. It is covered by sufficient duty now to keep it out; but that is not the kind of cloth for which we are legislating.

Mr. DOLLIVER. Does the Senator see anything peculiar about that cloth?

Mr. ALDRICH. It is a common piece of cloth.

Mr. DOLLIVER. Exactly.

Mr. ALDRICH. And the common cloths that are made in the United States are sufficiently covered, as I have stated over and over again, by the law as it now stands. These are not the cloths we are talking about. They are not the kind of cloth we are providing for. It is an entirely different class of fabric. The Senator can find some man in the United States on every one of these specific duties who could show enormous rates. That is a simple thing to do. As I stated the other night, it is impossible in a specific duty not to find some article or some fabric covered by it that will show a high equivalent ad valorem.

But that is not what we are here interested in. We want to take the average of these fabrics. I desire that these mercerized goods, which are as fine as silk and as valuable as silk, shall be so treated that they will be manufactured in the United States, and not only one piece, like the sample which the Senator has produced, but all these valuable and artistic cloths which are now imported. I want the manufacturers of the United States to have the American market; and I will say to the Senator from Iowa that the cost to the American consumers will not be increased one mill. If I had time to go into the matter, I would be able to show that goods imported at a valuation of 20 cents a yard are sold at from 80 cents to \$1 per yard ordinarily.

No; the Senator from Iowa is mistaken with respect to what the committee is trying to do. We are not legislating for the benefit of some man who makes that class of goods, or some man who might make a little higher class of goods. We are legislating for the American workingman and for the American manufacturer, against a class of goods that are now imported

and when the American market is now in foreign hands. We desire to have that business transferred to the shores of the United States.

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. The Senator says the goods are now imported. I understand both Senators to agree that that particular piece is made here almost exclusively.

Mr. ALDRICH. The Senator could not have heard me at all.

Mr. BEVERIDGE. Yes, I did; I paid very close attention. Are there not any of these kinds of cloth made here now?

Mr. ALDRICH. There are a few of the lower grades made here, of course. I say the specific rates, which run up to 20 cents a yard—

Mr. BEVERIDGE. Would the Senator shut out importations altogether? Does he not think they are a good thing as regulators of prices? Would he exclude them?

Mr. ALDRICH. Of course not. I am not suggesting anything of that kind.

Mr. BEVERIDGE. That is what the Senator's statement was.

Mr. ALDRICH. On goods worth 25 cents a yard, the Senator can see, by a mathematical computation, that a cent a yard is only one-fourth of a cent. Does the Senator think that duty would keep out those articles?

Mr. BEVERIDGE. The Senator's exact words, perhaps spoken inconsiderately in the heat of debate, were that he wanted to see all these goods made here which are now imported. I wondered if he meant by that that he wanted a prohibitory tariff on certain things.

Mr. ALDRICH. What I meant was that I wanted all classes of cotton goods to be made in the United States. I certainly do not desire to have a prohibitory tariff on anything. I have never advocated a prohibitory tariff.

Mr. BEVERIDGE. If that were true, keeping in mind what the Senator from Utah [Mr. Smoot] said a moment ago, of course if it was not for the domestic competition the effect of that duty would be to raise the prices, but he said local competition would take care of it. Assuming that to be true, what would become of that local competition if the rates were so high that within thirty days from the passage of this bill there should be a great combination formed covering all these cloths we are talking about? Such a thing has happened before.

Mr. ALDRICH. It seems to me there are some Senators who are without imagination at all. I do not think the Senator from Indiana belongs to that class, because I think he has an inflated imagination.

Mr. BEVERIDGE. I am not so sure it is imagination, by any manner of means. Unless the Senator promises it, I will not go any further concerning this combination than merely the question I put. The Senator can call that imagination, and we will see in the course of a few months whether it is true or not. We have proof that it may occur from the fact that in many instances it has occurred under similar circumstances.

Mr. ALDRICH. There is no industry that is so widely diversified, in the Southern States and in the Northern States where the industry exists at all, as the manufacture of cotton goods.

Mr. BEVERIDGE. Of this variety?

Mr. ALDRICH. Of all varieties.

Mr. BEVERIDGE. I know, but I ask the Senator whether there has been very much mercerized cotton cloth made in the South.

Mr. ALDRICH. It can be made in the South as well as in the North. There are no lines of latitude or longitude and no sectional lines applying to the mercerization of cotton goods.

Mr. BEVERIDGE. I will ask the Senator this question—whether the most of the manufacturing in the South is not of the common cotton cloths and whether he has raised in any way the tariff on one of them?

Mr. ALDRICH. The Senator evidently did not pay any attention to the remarks I delivered a few nights ago.

Mr. BEVERIDGE. I did.

Mr. ALDRICH. I then stated that the Senator from Georgia, who is now giving me his attention, had brought to my attention a letter saying that in an establishment in the Senator's own city they had expended a million dollars in manufacturing the fine cotton yarns, mercerized. Nobody can make fine cotton yarns in these days without mercerization. The South is sure to manufacture this cloth; there is no question about that at all; and the reason that the South is not to-day manufacturing a great portion of these fine cotton cloths is because they have not yet developed the industry to that extent.

There is nothing in the southern condition which keeps them in the manufacture of the common goods, and I desire by this very amendment to put them in a position to compete with

the cotton manufacturers of the world, not alone in common cotton, of which they now have a monopoly, but in all these finer forms. I want to see them making these very goods, and it is giving them the protection which they need for that manufacture.

Mr. BEVERIDGE. So, it turns out as the residuum of the Senator's statement that, as a matter of fact, excepting a negligible quantity, the particular goods about which we are talking are not at present made in the South, but may be in the future.

Mr. ALDRICH. I do not know what the Senator means by a "negligible quantity."

Mr. BEVERIDGE. The Senator knows particularly the case. He said "may be."

Mr. ALDRICH. I presume there are very few, if any, mills in the North valued at a million dollars that manufacture these fine cotton yarns.

Mr. BEVERIDGE. The Senator said I certainly had not listened to his words the other night. I listened with the keenest attention to his passionate appeal—and it was a passionate appeal, and one which was eloquent—but I also observed that in that appeal he said that these common cotton cloths were made in the South; that they were exported to the Orient, and that it made a market for them now, but that the Orient was itself going to come into competition with them some time or other. Therefore he appealed to the South against the coming danger. I did not want to interrupt the Senator at that moment, or I would have asked him whether in this bill there is a single provision increasing the duties on these kinds of goods because, as you have said, of that coming invasion. I listened to the Senator's statement. But he was bound, as a matter of logic, to propose an increase of duties to preserve the South from that peril, yet he makes no increase in such goods.

Mr. ALDRICH. The Senator could not have listened to me, but if he did, he heard me say that in my judgment—and I desire to reiterate the statement—the competition which this country will receive from Japan and from Japanese manufacturers will be along the lines of these very articles. Such are the artistic tastes of the Japanese in all matters pertaining to decoration and articles of decoration in the use of colors that they have exceeded all the nations of the Orient. They are now competing in crockery in China, and in various other articles along the same line of these finely decorated colored cotton cloths. I said, or I meant to say, and I think if the Senator will read my remarks he will find I did say that competition from the Orient will be exactly along the line of the amendment which the committee suggested to this House provision with regard to mercerization.

Mr. BEVERIDGE. So it all comes down to this in this particular instance. It is another example, of which there are several other instances in this bill of a tariff on futures in order to meet expectations. The Senator has not read Dickens's "Great Expectations."

Mr. ALDRICH. No man can sit in this Chamber and legislate for this great and growing country without legislating for the future. We do not apply the legislation to past conditions in legislating for this country. It is for the future that we are legislating, for the manufacturing industries of the future rather than those of a past age and past time.

Mr. BACON. Mr. President, will the Senator from Iowa pardon me for a moment?

Mr. DOLLIVER. Certainly.

Mr. BACON. The Senator from Rhode Island alluded, both to-day and in the speech made by him the other night, to the letter which I handed him on the subject of a part of the cotton schedule. It is true, as stated by the Senator from Rhode Island, that I handed him a letter written by Mr. Walter Hanson, who was then in charge of one of the largest textile industries in my State, having 8 or 10 factories. He was an able and a most estimable gentleman, enjoying the full confidence of all, and his statements are entitled to great weight. He wrote that letter and went on to New York in apparent health, and, very unexpectedly to all, died there two or three days later.

It is proper for me to say, so that I may not be misunderstood in regard to the matter, that I do not know what the letter contains, further than the subject to which it relates. The gentleman was here on other business, and I accompanied him to the White House and introduced him to the President, before whom he wished to lay a matter altogether foreign to the tariff. While he was here he endeavored to explain to me a feature in the pending bill which, in his judgment, would work injustice to the manufacturers of the higher class of cotton goods. It, however, involved some technical matters which I did not understand. I suggested to him that, on account of this technical feature, it would be better for him to appeal to headquarters, and I told him that if he would write a letter to the Sena-



tor from Rhode Island I would take pleasure in personally handing it to him, which he did.

If I may further trespass upon the time of the Senator from Iowa, who has the floor, I will say a word in regard to the interest we have in textile manufactures in the South. As I have previously stated in the progress of this debate, I am deeply interested in the cotton-manufacturing industry in Georgia. It is a great and a growing industry, and its output is very large. It is true that much the larger portion of these goods is the coarse grade, including largely yarns, and I do not understand that these classes of goods receive any special favors in this bill. There are, however, a number of textile industries in Georgia and elsewhere in the South which are engaged in higher classes of manufacture. Whether their products embrace the finer mercerized goods I am not able to state. I do know that they make cloths of superior quality that are used for summer clothing, and so forth, for men, and that they make towels and many other things of that kind.

I myself am not impressed with the suggestion of the Senator from Rhode Island as to the importance of raising any of these duties so far as concerns the interests of the cotton manufacturer. The bill as it came from the House, as it relates to the cotton schedule, is practically the same as in the Dingley law, and the Dingley law is practically the same in this particular as the Wilson law. Cotton manufacturing has largely developed and prospered under the existing law. I rose, however, only to make the statement relative to the letter written to the Senator from Rhode Island by Mr. Hanson, to which he has made allusion.

I want, nevertheless, to allude to another thing, of which I have made mention in a speech which I made in the Senate some time ago, and that is the importance and magnitude of the cotton industry and other manufacturing industries of the South and their relation to the agricultural interest. In my State manufactures are larger in money product than in any other Southern State, all mechanical industries combined being taken into the calculation. Much the larger interest in our section, however, is the agricultural interest. This agricultural industry can not receive any direct benefit from the high tariff. My opinion is that in fixing these rates regard should not only be had for manufacturing interests, but proper regard should also be had to the large agricultural interest, which has upon it the great burden of the protective tariff and which of itself can not receive any direct benefit from it.

Mr. ALDRICH. Mr. President, I should like to say just a few words, with the consent of the Senator from Iowa.

Mr. DOLLIVER. I desire to put a letter into the Record, and I will do it now. It will bother the Senator less if I conclude my remarks.

I may, by the want of time, although not by the want of purpose and labor, have been led astray about some of these cotton goods. There are some things that you can find out from the statistics. There are other things that you have to go to merchants if you desire to find out. If I have correctly understood the testimony of the merchants, there is no likelihood that the general use of mercerized cotton cloths—I mean cloths entirely mercerized—will take place in this world. The probability and the tendency is to ornament fabrics, made beautiful by other means, with mercerization in the form of spots or dots or lines or geometrical figures of one kind and another, so as to give an attractive appearance to the cloths that have not been subjected to the operation of mercerization. An examination of the dry goods stores in this town shows it is correct that the great bulk of the imported and homemade mercerized goods are not mercerized in whole, or, at least, the finer processes of mercerization are not applied to them, but they are mercerized in very small part, representing here a line and there a line, adding an attractive ornamentation to the surface of fabrics already sufficiently beautiful for most people.

I am glad to say that these goods of the highest artistic value are made better in New England than anywhere else in the world. I disavow this statement, made by my distinguished friend the Senator from Utah [Mr. Smoot], that New England is behind France, Germany, or England in the manufacture of high-class cotton goods.

The mills of New Bedford and Fall River lead the world. I have had an opportunity to commune with the inventors who made the machinery that enabled them to lead the world. That machinery is now being exported to the factories of England and France and Germany to bring them up to our date.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Utah?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I simply want to say to the Senator that as far as novelties are concerned in fine cotton the statement that I made was received from a number of New England manufacturers.

Mr. BRISTOW. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. DOLLIVER. Certainly.

Mr. BRISTOW. I can not hear what is going on.

Mr. DOLLIVER. Can not my friend hear me?

Mr. BRISTOW. I can occasionally, but most of the time the questions that are passed back and forward we can not hear.

Mr. DOLLIVER. I have a very dear friend sitting near me who claims that he has to go out because he can not stand the noise. [Laughter.]

Mr. BRISTOW. I wish to say that my criticism was not directed to the Senator from Iowa, but to those who answer questions.

Mr. DOLLIVER. If my friend from Utah had only the information which he has just communicated to the Senate, it was, it seems to me, a rather small basis upon which to lay foundation for his argument in respect to this cotton schedule, for the burden of his remarks was that we had to protect more highly than heretofore these fine goods; otherwise we would consent to the permanent division of the world's cotton market between us and the European manufacturers, we occupying the lower levels and willingly consenting that they should occupy the high.

But I do not desire to allude to this phase of the matter any further. I will put into the Record certain documents, having first asked the Committee on Finance what has become of the answers to telegrams sent out by the chairman of the Board of Appraisers asking the men who are familiar with the costs of the process of mercerization to send in a statement of what their expenses of mercerizing cloth at this time actually are. Failing an answer to that question, I intend now to put in the Record copies of telegrams received by the committee, but not, so far as I know, heretofore laid before the Senate in respect to the cost of mercerization.

I desire, first, to lay before the Senate, for the purpose of printing it in the Record, a telegram, accompanied by a formal letter from Ludwig Littauer, of 109 Greene street, New York, in answer to a telegram sent him by Chairman de Vries, the answer being sent in care of the Finance Committee, he showing that the foreign cost of mercerization is substantially less in the chief centers of mercerization in England than it is in Rhode Island or Massachusetts.

Mr. ALDRICH. Will the Senator be kind enough to put into the Record, in connection with these statements, the vocation of those gentlemen?

Mr. DOLLIVER. I do not think I ought to be called upon to do that.

Mr. ALDRICH. Possibly not.

Mr. DOLLIVER. Their vocation was sufficiently respectable to warrant Mr. de Vries, under direction of the Finance Committee, to ask them for information to guide the Senate committee in this matter after they had already put the provision in the bill.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. Is there anything so reprehensible about their vocation as to affect the credibility of their testimony or their veracity as men?

Mr. DOLLIVER. I do not know about that.

Mr. ALDRICH. That question has been raised in the Senate a number of times. I have never assumed that these importers were not respectable men. I have never said anything that could possibly be construed as an impeachment of their respectability, but I do say that in constructing a tariff bill that affects every person in the United States we ought to receive their testimony, when their interests are altogether on the other side of that question, with some degree of doubt.

Mr. DOLLIVER. While the Senator from Rhode Island is on his feet, I will ask him what became of the other answers? Did Mr. de Vries not telegraph to some good Americans who could be believed about these matters?

Mr. ALDRICH. I know nothing about the circumstances to which the Senator alludes. Mr. de Vries and no one else could have had this information for the committee except in a general way. The gentlemen who are here as experts are getting together for the committee all the information which they can with reference to every item in the bill.

Mr. DOLLIVER. Mr. President, of course if the witnesses are disreputable—

Mr. ALDRICH. I did not say that.

Mr. DOLLIVER. If they have lead evil lives in the community where they reside, I would hesitate to bring them here to testify. But they are not my witnesses. This Mr. Littauer says:

In reply to your telegram—

And he directs it to Hon. Marion de Vries, care of the Senate Finance Committee. If they are bad men, unfit to be believed and unfit to be brought into the association of the Senate, it is not my fault. I intend all the same to put—

Mr. BEVERIDGE. Will the Senator permit me?

Mr. LODGE. Will the Senator kindly read the reply as to what the rates are for mercerization?

Mr. BEVERIDGE. Just a moment.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. The last statement of the Senator from Rhode Island is a very fair statement. It was much fairer than his first imputation in the question, "What is the vocation of these men," the inference being left on our minds that their vocation is something which discredited their testimony. The second one was a fair one. The first was not fair. The first one courts suspicion as taking into consideration the interest of those who have testified.

So we have it down to a fair basis. Here is a statement of facts. It is not a statement of opinion, but a statement of facts. Now, the question is whether the mere fact that a business man in the course of his business has imported some of these goods is sufficient to destroy his statement of fact. That might be determined by asking the Senator from Rhode Island himself whether that first statement of fact and that first telegram is not the truth.

Mr. ALDRICH. I have not heard it.

Mr. DOLLIVER. Mr. President—

Mr. BEVERIDGE. That mercerized goods can be made cheaper here than they can abroad.

Mr. DOLLIVER. The witness not being sent for by me, but being summoned by the committee, under the old rule of common law of evidence, with which I was at one time familiar, I think I will not allow the members of the committee to further impeach his credibility, but will content myself by reading what he says:

MAY 3, 1909.

DE VRIES, Esq.

Care Finance Committee, Washington, D. C.:

Foreign mercerizing, to 80's, 4d.—

And if you will bear in mind to multiply that by 2 it gives you the commercial approximate of our own money, 8 cents—

to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9½; to 180's, 11½; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound—

As against 8—

balance proportionately.

LUDWIG LITTAUER,  
109 Greene street, New York.

That is the telegram. Now, here is the letter, following shortly afterwards:

MARION DE VRIES, Esq.,

Finance Committee, Washington, D. C.

DEAR SIR: In reply to your telegram, we telegraphed to you on May 3, as follows—

Then follows the telegram which I have just read—

and beg to herewith confirm prices quoted for cost of mercerizing yarns in England, as follows: All numbers up to 80's/2, 4d. per pound—

That is 8 cents.

Then follows the exact statement, except that it carries out the proportion, and adds:

The domestic mercerizing is done at 5 and 6 cents per pound up to 80's/2, and finer sizes proportionately higher. We know that the prices for mercerizing in this country are considerably lower than abroad. The great quantities of yarns used are below No. 120/2; numbers finer than 120's/2 are used in very small quantities.

There is the testimony of a man who, whatever his character is, is getting mercerization done in Rhode Island and in Bradford and Manchester, and he states with a reasonable degree of accuracy what he is paying for it. Of course he may be in some occupation that totally undermines his moral character, but if he is, the Finance Committee ought to have scented that infirmity before it brought him here as a witness; and if they desire to impeach him, I call upon them to put into the RECORD

of this day's proceedings of the Senate other telegrams that they got in reply to letters for information on this question.

Mr. BEVERIDGE. They can not impeach their own witness, according to the rules of evidence.

Mr. DOLLIVER. I also desire to put into the RECORD the reply of A. L. Reid & Co., merchants of New York, sent in reply to a telegram from Hon. Marion de Vries, care of Senate Finance Committee, stating their experience in mercerizing cloths in the United States, in which they say that the cost is less than 1 cent; that it is three-fourths of a cent and five-eighths of a cent.

Mr. ALDRICH. Did the Senator give the name of that gentleman?

Mr. DOLLIVER. A. L. Reid & Co.—bad men, I have no doubt, and yet men called on by the general appraiser to furnish the committee with information on this subject.

Mr. CLAY. There is one feature of this matter which I do not exactly understand. I understand that the Dingley rate on the cotton schedule and the Wilson rate are practically the same running the two laws through; that there is very little difference in them, the cotton schedule, as a general proposition, being the lowest general schedule of our tariff legislation.

As I understand it, paragraph 321 provides a rate on all cotton cloths in which other than the ordinary warp and filling threads are used to form a figure or fancy effect, whether known as lappets or otherwise, 1 cent per square yard if valued at not more than 7 cents per square yard, and 2 cents per square yard valued at more than 7 cents per square yard. That, as I understand, is the Dingley law. Am I correct?

Mr. ALDRICH. It is.

Mr. CLAY. That is the Dingley law. Now, what was added to that paragraph and paragraph No. 313 in the Dingley law, in my recollection, are the following words:

On all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard.

Mr. ALDRICH. That is right.

Mr. DOLLIVER. Yes.

Mr. CLAY. That amendment has been reported by the Finance Committee.

Mr. DOLLIVER. Yes.

Mr. CLAY. I think I understand it, but this question presents itself to my mind: I have always understood that no classes of cotton goods were mercerized made out of ordinary cotton.

Mr. DOLLIVER. That is not correct.

Mr. CLAY. I have understood that this process was simply applied to cotton goods made out of long-staple cotton.

Mr. ALDRICH. Oh, no.

Mr. CLAY. To a large extent, to say the least of it.

Mr. DOLLIVER. That is an error.

Mr. ALDRICH. To some extent.

Mr. CLAY. I have misunderstood it, then, if that is true. There is one other question. I have understood that this process was simply applied to goods of the finest character.

Mr. ALDRICH. That is right.

Mr. CLAY. And made out of the finest class of cotton, mostly Egyptian cotton and long-staple cotton. That has been my understanding.

Mr. SMOOT. That is absolutely correct.

Mr. CLAY. I should like to ask the Senator this question: I see it says on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard. That feature was not in the Dingley law. Then I want to ask the Senator how much it costs per square yard to mercerize cloth and if there are different grades of mercerization, or does it cost the same amount per square yard on all classes of goods?

Mr. DOLLIVER. I will try briefly to answer both questions. The special assessment for mercerization was not in the Dingley law, because at that time the process was not well introduced in a commercial sense. It was the opinion of the committee that a slight increase in the ad valorem on the higher classes of cotton cloths would enable a sufficient assessment to be made by reason of the improved processes, whatever they might be. So the only change made by the Dingley law in the Wilson law was to increase the ad valorem in the higher countable paragraphs and to add to the Wilson countable paragraphs another applicable to cloths containing more than 300 threads to the square inch. The result of that was and has been that whatever value is added to these threads by virtue of the process of mercerization is immediately reported equitably at the customhouse by the ad valorem rates which apply to its importation, as this mercerization is applied generally to cloths of more than ordinary and common value. So under the Dingley law the process of mercerization was caught by the Dingley ad valorem



and by the Senate committee's specifics, rising as the value of the cloth increases. For instance, the honorable Senator from Massachusetts [Mr. LODGE], in the very able and interesting speech which he made on last Friday, showed a piece of goods which he claimed had had 12 cents a yard added to its value by careful mercerization. If that is so, and I will not dispute it, that piece of goods falls in the paragraph assessing 35 per cent upon its value. Thirty-five per cent assessed upon 12 is 4 cents and two-tenths.

Therefore the Dingley tariff law gave to this mercerizing process an assessment equivalent to a specific of 4.2 cents a yard, without saying a word about anything extra; but this committee has struck out these ad valorem that thus equitably disposed of the higher processes of manufacture, and made all the duties specific, with close dividing lines based on value. So, in addition to the specific duties that they have assessed on that particular cloth, they propose to assess an additional cent if the cloth is mercerized, and an additional cent on the cloth if any part of it is mercerized, even down to a single point or dot or a single running thread. That is what I am complaining about.

Mr. McCUMBER. May I ask the Senator a question right there?

Mr. DOLLIVER. Certainly.

Mr. McCUMBER. If I understand the Senator correctly, he states that the cost on the particular article which he exhibited, by reason of the use of the few mercerized threads, added about one-eighth of a cent a yard.

Mr. DOLLIVER. That is what the manufacturer says.

Mr. McCUMBER. That, of course, would be about 800 per cent higher than under the old Dingley rates. If that is true, if the mercerization under the law as now proposed adds 12 cents a yard to the value, then it is 1,200 per cent too low if the other is 800 per cent too high.

Mr. DOLLIVER. Very well.

Mr. McCUMBER. I am just trying to see if I can get correctly the Senator's position. Would he dispense entirely with a specific and take an ad valorem on mercerized goods? The ad valorem takes up the higher values on anything that is mercerized. I do not call the character of goods which the Senator exhibited high-class goods, for I do not suppose they are worth more than a few cents a yard.

Mr. DOLLIVER. Eight and one-half cents.

Mr. McCUMBER. And mercerizing adds but very little; but if it would add, we will say, a cent a pound—which I do not assume that it will add in the matter of the selling price—for the usual article it would add about 3 cents on \$1.50. It would not be any great amount; but that is much more than offset by the exceedingly high-priced goods, which are only given 1 cent in addition.

Mr. DOLLIVER. I called the attention of an importer—

Mr. McCUMBER. What I want to get out of the Senator is this: Would he abolish the specific entirely as relating to mercerized cloth?

Mr. DOLLIVER. If it is insisted seriously that it adds much to the cost of the cloth, so much as to require attention, I would not object to 5 per cent ad valorem in addition; but I am not prepared even now to do that. Besides, there is no use talking about it. The framework of this thing is set, and I am simply fixing the record for posterity.

Now, if the Senator from Georgia [Mr. CLAY] will give me his attention, I have spoken of the effect the Dingley ad valorem would have had on these increased costs arising from the process of mercerizing. It is now proposed to convert the Dingley ad valorem into specifics—and that has been solemnly done by the Senate—and, in addition, to add a specific assessment on each square yard of 1 cent for the mercerization, even where the mercerization extends only to a single dot, as in the case of the vest of my friend from North Dakota [Mr. McCUMBER]—a single dot here and there upon the face of the fabric. I am objecting to that because it does not cost 1 cent a yard altogether. I am objecting to it because it costs less here than it does in the Old World, owing to our improved and scientific skill in applying the process. I am putting into the RECORD testimony which I think has a tendency to confirm the truth of what I have tried to show. I have offered for the RECORD the telegram of A. L. Reid & Co., who get mercerizing done every week in the United States in vast quantities, because they are large distributors of cotton goods. They buy them of one mill unmercerized, and then turn them over to finishing mills to be mercerized. They know exactly what they are talking about. They give the price which they have to pay now for mercerizing.

I put in also a statement by a famous New York merchant, giving exactly the cost of mercerizing goods in New York Mills

Bleachery, in the State of New York, showing that the cost of mercerizing is from one-half cent to seven-tenths of a cent. I also put in a statement of his present-day dealings with the United States Finishing Company, of Pawtucket, R. I., showing that on white goods, that is, bleached goods, the cost of mercerizing at Pawtucket to-day is from three-fourths of a cent to three-eighths of a cent where the goods are simply bleached; if they are colored, it is three-eighths of a cent, and if the colors are very dark, it is 1 cent, which is the highest price.

I desire to call the attention of the Senate to the fact that at the Standard Bleaching Mill the price of mercerizing is given substantially in the same terms. I have in vain called upon the committee to bring here and read or put before the Senate the other information that guided them. Most of the information that I am now communicating to the Senate came first to the committee, and a copy of it was transmitted to me, because they knew that I was a student of these questions and desired accurate information. They knew that I did not desire to move in the fog as I undertook to approach the consideration of these matters. So, as a courtesy, they sent to me the information which I was looking for, as well as this committee. In fact, I was looking for it before the committee began to look for it.

The committee even did not seek any information upon the subject when the bill was being framed, so far as I know; and only a month ago they began telegraphing here, there, and everywhere. They said: "Somebody has arisen in the Senate and disputed the wisdom of this 1-cent assessment; therefore let us know what the cost of it is, so that we can defend it." The cost price in the United States was given not only in scores of telegrams, but in letters from everybody in the United States who had information upon the subject. The Senate now is in the dark about the answers to those letters, except in so far as I have communicated them myself to the RECORD. For that reason, I send to the desk and ask to have printed the matter to which I refer; and I shall not say another word about it.

The PRESIDENT pro tempore. In the absence of objection, permission to do so is granted.

The matter referred to is as follows:

MAY 3, 1909.

DE VRIES, Esq.,

Care Finance Committee, Washington, D. C.:

Foreign mercerizing, to 80's, 4d.; to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9d.; to 180's, 11d.; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound. Balance proportionately.

LUDWIG LITTAUER,  
109 Green street, New York.

MAY 10, 1909.

MARION DE VRIES, Esq.,

Care Finance Committee, Washington, D. C.

DEAR SIR: In reply to your telegram, we telegraphed to you on May 3 as follows:

Foreign mercerizing, to 80's, 4d.; to 120's, 6d.; to 130's, 7d.; to 140's, 8d.; to 150's, 9d.; to 180's, 11d.; to 200's, 13d. a pound. Domestic, to 80's, 6 cents per pound. Balance proportionately.

And beg to herewith confirm prices quoted for cost of mercerizing yarns in England as follows:

All numbers up to 80's/2, 4d. per pound; up to 100's/2, 5d.; up to 120's/2, 6d.; to 130's/2, 7d.; to 140's/2, 8d.; to 150's, 9d.; to 180's/2, 11d.; to 200's/2, 13d. The domestic mercerizing is done at 5 and 6 cents per pound up to 80's/2, and finer sizes proportionately higher. We know that the prices for mercerizing in this country are considerably lower than abroad. The great quantities of yarns used are below No. 120's/2; numbers finer than 120's/2 are used in very small quantities. We remain,

Yours, respectfully,

LUDWIG LITTAUER.

A. L. REID & Co.,  
64 and 66 White Street, New York, May 3, 1909.

HON. MARION DE VRIES,

Care Senate Finance Committee, Washington, D. C.,  
Senate Building, Room 311 B.

DEAR SIR: In reply to your telegram requesting the general prices paid to bleachers, dyers, and finishers for mercerizing, we give you as follows: Thirty-six-inch brocades, madras, etc., similar, three-fourths cent; 40-inch sheet fabrics, average, five-eighths cent.

To show how these figures are arrived at, we have to-day compiled the following in conjunction with bleaching: Bleacher, cost of bleaching and mercerizing brocades and madras, 36 inches or less, 1½ to 2 cents, depending on weight; cost without mercerizing, ¾ to 1 cent. Bleacher, cost of bleaching and mercerizing sheer fabrics, 40 inches wide, 1½ to 2 cents, depending on weight; cost of finishing without mercerizing, 1 to 1½ cents.

Brocades and madras in heavier weights cost a higher price, while in sheer fabrics the lighter weights are the higher, owing to their liability to damage.

The bleachers require a working loss of 2½ per cent on all piece mercerized fabrics.

Yours, truly,

A. L. REID & Co.

*Standard prices for mercerizing in United States.*

NEW YORK MILLS BLEACHERY, NEW YORK MILLS, N. Y.

	If bleached or dyed only.	If mercerized, bleached, or dyed.	Ratio cost of mercerizing.
	Cents.	Cents.	Cents.
Whites (bleaching).....	0.8	1 $\frac{1}{2}$	0.7
Colors (dyeing).....	1 $\frac{1}{2}$	1 $\frac{1}{2}$	1
Dark colors (navy, cardinal, black).....	1 $\frac{1}{2}$	1 $\frac{1}{2}$	1

UNITED STATES FINISHING COMPANY, PAWTUCKET, R. I.

Whites (bleaching).....	1	1 $\frac{1}{2}$	1
Colors (dyeing).....	1 $\frac{1}{2}$	2	1
Dark colors (navy, cardinal, black).....	1 $\frac{1}{2}$	2 $\frac{1}{2}$	1

NEW YORK, May 3, 1909.

*Standard prices for mercerizing in United States for very fine goods.*

STANDARD BLEACHERY COMPANY, CARLTON HILL, N. J.

[Prices include putting up, etc.]

	If bleached or dyed only.	If mercerized, bleached, or dyed.	Ratio cost of mercerizing.
	Cents.	Cents.	Cents.
Whites (bleaching).....	0.8	1 $\frac{1}{2}$	0.95
Colors (dyeing).....	1.35	2 $\frac{1}{2}$	1.15
Dark colors (navy, cardinal, black).....	1.35	2 $\frac{1}{2}$	1.20

NEW YORK, May 3, 1909.

Mr. LODGE. Mr. President, I do not care to again go into the discussion of the question of mercerization. So far as the information contained in this telegram is concerned, so far as the cost of the mercerizing process goes, the figures are precisely those which I furnished to the Senate. In fact, I referred the Senator from Iowa, when he quoted the figures, to the cost of mercerizing.

Mr. President, as to the policy of specifics where they are possible, I am not going to speak. That is too large a question to now enter upon, and there is no need of entering upon it; it has been too well considered. It has been long adopted as a policy in the collection of revenues to have a specific wherever it is possible for the purpose of preventing undervaluation and fraud. There is no part of the tariff where undervaluation and fraud is so prevalent and impossible to meet as in the high grades of cotton goods. So it is not worth while wasting time upon the question whether we shall have specifics. We have got specifics throughout the cotton schedule. We have always had them. Every nation has them. If we are to have specifics, the question is whether it is proper to apply an additional specific to the mercerized cloths.

The statement that the Senator from Iowa has just sent to the desk shows that the cost of mercerizing yarns ranges from 8 to as high as 18 cents a pound. I did not carry my figures as high as that. They show a greater cost of mercerizing in the finer yarns than I attempted to show. It is quite true that you can take a comparatively cheap fabric with only one thread of mercerized yarn in it and show that the 1 cent duty is very heavy indeed; but I could show just as easily in some of the fabrics that I exhibited the other day to the Senate, fabrics that it costs 12 cents a yard additional to mercerize, where a cent was less than 10 per cent ad valorem, and it was a preposterously small duty to levy. No specific will be exact on the lowest and highest grades. You must take your specific as nearly as you can on about what is the average cost. It appeared to the House committee, I suppose—it certainly appeared to the Senate committee when they examined it—that 1 cent a pound on the average made a reasonable duty.

For instance, on this sample [exhibiting] which I showed the other day—goods with mercerized spots in them—the cost was 3.7 cents additional. Senators can figure what the rate of 1 cent additional is. This [exhibiting] with colored threads, colored yarns, and mercerized colored threads, 3.86 cents additional; and this [exhibiting], representing cloths with mercerized stripes, the additional cost of using mercerized yarn over ordinary yarn, is 4 cents a pound. The duty of 1 cent a yard would be 25 per cent ad valorem. It is impossible to base specifics on the very lowest possible sample that can be produced, just as it would be preposterous to base a specific on the most expensive article that can be produced. You have to get a specific that somewhere nearly strikes the average; and 1 cent does

strike the average very fairly, so far as my investigations have gone.

It is to be remembered, Mr. President, at that point—and I hope Senators will bear it in mind—that these articles that are mercerized, including yarn, have to be good fabrics. You can not take the cheapest cotton cloths and mercerize them—it is not done—any more than you mercerize duck or sailcloth or any of the heavy fabrics. You must have a perfect fabric for it, and it usually, so far as my inquiries go and the evidence I have been able to get shows, has to be made of more expensive cotton, often of Egyptian cotton, and the cost of mercerizing resides not merely in the caustic bath, but in the construction of the cloth and in the preparation of the yarn beforehand. Taking the specific on the average range of the cost of mercerizing, it is not only not excessively high, but it is a very reasonable rate.

Mr. BEVERIDGE. Mr. President, I only want perhaps a moment concerning the rule of evidence that we discussed here this morning for a moment. Many times during this debate reflections have been made upon statements of fact because they came from importers, who have been assailed not with quite so much acrimony as the courts which made these decisions, and it seems to me a moment should be spent now in considering that well-understood rule of evidence that affects the weight of testimony on account of interest.

The only fair statement was contained in the last remarks made by the Senator from Rhode Island [Mr. ALDRICH]. In view of the fact that they were importers, their interest, I believe he said, might make us take their statements with more caution, or something like that. That, in the course of this whole debate, was the first conservative, restrained, and fair statement of that rule. I was glad to hear it. Heretofore there has been an unlimited attack upon a man merely because he was an importer. The assumption has been not only made, but the direct statement has been indulged in, that he wanted to tear down the American protective system.

Now, let us waive that, Mr. President, but the Senator will admit, of course, that this is a simple universal legal rule, not to be applied to the importers alone, but to everybody else, is it not? If that is true, it is to be applied to manufacturers as well as importers, both honorable men, both engaged in a reputable business; and yet the Senator will admit that ten manufacturers have given their opinions as to the policies and their statements as to the facts where one importer has done so. The Senator himself has said time and again in the course of this debate, with all possible vigor, that it was the opinion of the American manufacturers thus and so. Therefore if we ought to take into consideration the interests of the importer as affecting our judgment as to the weight to be given to his testimony, so ought we to take into consideration the business of the manufacturer as affecting our judgment as to the weight to be given to his testimony. Is not that fair? And yet not once during this debate has the converse of the rule been stated.

There is another rule, Mr. President, with which every man who has practiced law, yes, every man who has been in a court room, is familiar, and that is that where a man testifies against his own interest that necessarily is to be given greater credibility than any other kind of testimony. In all of this long and involved discussion—which it is difficult for a man not familiar with these schedules and terms to understand unless he earnestly applies himself—there has been one clear statement, not disputed by anybody, made against the man's own interest, as it afterwards appeared, made by the greatest representative of the entire cotton industry of the country. Curiously enough that is waived aside. I called attention to it the other day and asked the Senator from Rhode Island to reply and explain, but he did not. He waived it aside in his reply, as he will find in the Record, and so, again, I read from the testimony of Mr. Lippitt, who is conceded to represent the cotton industry of the country, as follows—

Mr. GALLINGER. I hope the Senator will save us from that.

Mr. BEVERIDGE. I want to put it in again.

Mr. GALLINGER. Let us have it stereotyped.

Mr. BEVERIDGE. It becomes more attractive to me the more I think of it, in view of the perfect maze of counter statements that have been made here. I sat here on Saturday and listened to the statements of the Senator from Iowa [Mr. DOLLIVER]. I wanted some Senator to get up then and explain if they were not true, but that was not done. There is a perfect Niagara of conflicting statements. Here is one that no person has denied; and so I think it would be a good idea to follow the Senator's suggestion and have it stereotyped. It is the one undenied thing in this whole debate; and it would seem, in



view of the fact that it is made against interest, as it afterwards appeared, it is the most credible and weighty thing we have before us in the whole debate. Mr. Lippitt says—and, I assume, under oath—

The form of the present cotton tariff is the result of many efforts, and considering the wide variety of products it covers has stood the test of practical operation fairly well. It has been the object of many legal attacks, in the course of which the terms used have for the most part been given careful legal definitions, and therefore should not be disturbed. Some minor features—

That can not be these features, because we have it on the word of every member of this committee that these are important features—

Some minor features, however, are still in controversy and may need elucidation, but the present cotton situation as a whole has resulted in establishing in this country a great industry, widely distributed, employing many people and much capital.

The Senator from Massachusetts [Mr. LODGE] at the close the other day of his impassioned and eloquent address, said "give them a chance to work," just as though the present tariff did not give them a chance to work, when here is the representative of that industry stating that they are at work. If I had not wanted not to bring that question into this controversy, I would have commented at considerable length upon the important suggestion I made the other day, that a great many thousands of them who are thus at work are little children between 4 and 14 years of age, as the sworn testimony, before the Senate shows—

Mr. LODGE rose.

Mr. BEVERIDGE. That is not in Massachusetts, I will say.

Mr. ALDRICH. And the Senator could further say that it is not in New England.

Mr. BEVERIDGE. It is the sworn testimony before the Senate, and that are part of the records of the Senate, that it is in New England, too—sworn to upon affidavits, and never yet denied.

Mr. LODGE. If the Senator will allow me—

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. BEVERIDGE. Certainly.

Mr. LODGE. The number of children working in the New England mills has been reduced since 1905, by better enforcement of the laws and by better laws, from 17,000 to 9,000. I can give the exact figures, if the Senator wants them.

Mr. BEVERIDGE. So the little disturbance some two years ago, then, was possibly not without its poor influence.

Mr. LODGE. The "little disturbance" had nothing to do with the laws of Massachusetts. They were already on the statute books.

Mr. BEVERIDGE. That is true; the laws of Massachusetts were on the statute books.

Mr. LODGE. If the Senator will look into the matter, he will find that the entire number of employees in the cotton industry in New England is 155,000, and only 9,000 are under 16 years of age.

Mr. BEVERIDGE. Mr. President, I am rather sorry I interjected this, because I did not intend to have attention diverted from this stereotyped statement, or testimony that ought to be stereotyped and placed in the hands of every Senator; but, as a matter of fact, concerning the employment of children, every statement made by me when I presented that question was sworn to and has not thus far been denied, and is, with some slight modification or with some diminution, the truth to-day. But let us go on with this statement of Mr. Lippitt:

It has regulated but not prevented importations, has made moderate profits and reasonable wages possible to the capitalist and laborer, but is not a bonanza.

We ask, therefore, that the present schedule shall not be materially changed and that cotton manufacturers be allowed to continue the operation and further development of this important industry under the same tariff conditions that now prevail.

That was the statement of the authorized representative of the cotton industry of this country before, I think, the Congress convened, or at least when the House was considering the testimony upon which to frame this bill.

They had not at that time expected that there could be any change in the law which would be an increase of rates or which would in anywise benefit them. That had not appeared to them possible, because, Mr. President, among those who most vigorously resisted any tariff revision at all were the cotton manufacturers of the country. So when the tariff revision came—and the other day I traced the growth of the sentiment—all the time every one of them resisted any tariff revision of any kind, because they were satisfied with the situation. It first appeared to them that it would be impossible to get any change that would raise rates or that would benefit them, but it would appear that in the course of two or three months a change came over their opinions, and they did think it was possible to

get the cotton schedule changed, or, at least, that is the only way that I can interpret that remarkable testimony which, I believe, was followed by a letter to the committee.

Mr. President, these few remarks have been brought out solely by a reversion to the application of the rule that a man's interest must be taken into consideration when weighing the weight of his testimony, a statement that has been made all through this debate, though never entirely thoroughly until the Senator from Rhode Island made it this morning. So that it seemed to be pertinent that we should understand that that rule is to be applied not to the importers only, but to the manufacturers also; and that the further collateral rule of evidence should be applied, that when a man gives testimony against his interest that is the weightiest testimony possible to be given in a court of justice. Therefore, Mr. President, I present this one, single, unconfused, undenied piece of testimony in this whole debate, which, according to the rules of evidence that the Senator from Rhode Island has invoked, is the only weighty piece that we have before us.

Just one other thing, Mr. President. Throughout this debate, whether it has been on paint or whether it has been on cotton, or whether it has been on one article or another, I have heard at least a score of times—and I am trying to make my remarks emphatic by making an understatement—at least a score of times upon this floor I have heard that the increase of price to the consumer would be either nothing or negligible. For example, the other day my esteemed friend from Pennsylvania [Mr. PENROSE] proceeded by a nice mathematical demonstration to show that the increased cost for painting a small house under the present increase on white lead would only be 25 cents. My friend from North Dakota [Mr. McCUMBER], who is a good deal of a mathematical genius—which is a part of the Scotch blood—demonstrated this morning that, taking the Senator from Iowa's own figures, the increase on one of the shirts, which the Senator from Iowa says is bought by the millions, would only be 3 cents on a dollar and a half shirt; and so we have heard these statements made.

Mr. President, it is thus sought to impress us that the increases, if at all, will be so negligible to the consumer that it is not worth while taking them into consideration in connection with the vast benefit to business that is to accrue. That is true, is it not?

But, Mr. President, that is not only where the injustice comes in—which is the chief thing—but there is where the economic error comes in, which is possibly even a more important thing, practically speaking. If 3 cents on a shirt, if 10 cents on a dress, if 5 cents on a pair of shoes in a family of 7 children, and of 25 cents upon a bucket of paint; if all these little increases, which occur to us to-day as absurd, are added together, what does that mean to the consumer; not a consumer, mind you, who is able to pay, but a consumer whose average wage is what is demonstrated to be the average earnings of a common laboring man in the United States, less, I believe, than \$600—between five and six hundred dollars? To that man, with a family of 4 or 5 children and a wife, a few cents on shoes, an amount that would make us here to-day sneer, when he has got to supply those children with shoes to go to school, and 10 cents on a dress, which we think negligible, and 3 cents on a shirt, and 25 cents on a bucket of paint, thus running down the whole list of life's necessities, makes to him, with his small earning power, a burden grievous to be borne.

Mr. GALLINGER. This bill reduces the duty on shoes.

Mr. BEVERIDGE. I hope that good example will be followed elsewhere. If you are going to make a man's footwear lighter, why not make the burdens that are on his back lighter also?

Mr. President, the remark of the Senator from North Dakota in showing that, after all, even if there was an increased duty, it would not affect the consumer very much, made me feel that it was necessary to point out and to bring home to each one of us or to make us conscious of it at least—for I am sure it was brought home to us the moment that it was made—that it is no argument to say that the increase is small, that it appears to us to be negligible in affecting the price to the consumer, because the sum total of it, when measured, not by our earning power, but by the earning power of the men who buy the shoes and shirts and dresses and food and paints and everything else, becomes finally a burden, the bearing of which raised the very storm for tariff revision, which wrote it into our platform, and finally voiced itself through the utterances of the man best equipped and authorized to interpret it.

Mr. ALDRICH. Mr. President, the influence and the dangers of association are well illustrated in the speech which has just been concluded. I have heard remarks of that kind before, rarely from Republicans, never from protectionists. The Sena-

tor has been voting with reference to these matters with men who believe that protective duties are added to the cost of all domestic articles produced in the United States.

Mr. BEVERIDGE. Did those same men believe that when they voted with the Senator for protective duties on certain articles?

Mr. ALDRICH. No; I think that on those particular occasions they were acting as protectionists.

Mr. BEVERIDGE. Then, are they voting with me or am I voting with them?

Mr. ALDRICH. The Senator must be voting with them. The other side furnishes all the privates, and this side furnishes the brigadiers in this movement, as near as I can understand.

Mr. BAILEY. They think they are the brigadiers.

Mr. ALDRICH. Yes; they are under the impression that they are the brigadiers.

The Senator's speech could have been made with great effect by any free trade or tariff reformer in the United States. He could express his views in the precise language that the Senator has expressed his; that all of these duties are added to the cost to the consumer in this country; and he is only finding fault with us apparently because we have increased the cost to the consumer a small amount. The application of the doctrine, to his mind, seems as clear as it does to Senators who sit upon the other side of the Chamber and who have no hesitancy in expressing their views as tariff reformers that the whole protective system ought to be pulled down and destroyed.

The Senator makes another statement which on its face appears to be fair enough. He says that in listening to the statements of importers and manufacturers we should consider that they are both interested parties and that we should give equal credence to both in considering the tariff bill. But to my mind there is a distinction as wide as the poles between the people who appear here to serve their own interest, which are against American interests, and the people who appear here and whose interests coincide with American interests. Speaking for myself I do not intend to apply any rigid rule of judicial construction in the treatment of the statement of these two classes of men. We are not bound as Senators in the construction of a tariff act to say that the statement of an importer, as to the effect of our legislation upon American interests, shall have the same weight and the same control over our acts as that of a man who has no interest at all except one along the line of American development and American prosperity.

Mr. BEVERIDGE. Mr. President, my few remarks with respect to the rule of credibility of testimony were brought out by the statement of that rule last made by the Senator from Rhode Island, as I have said, which is the first time he has stated the rule fairly or that it had been fairly stated; and I was so glad of it that I thought it necessary to point out the equal applications of that rule which ought to be applied to manufacturers as well as to importers. Both are honorable men. Both have fought for their country. It does not affect a man's honor that he is importer or manufacturer. It does affect the weight of his testimony—the interest he has in giving it. Therefore when the rule is applied to importers, it should also apply to the manufacturers.

Then there is the statement of the collateral rule—that where a man testifies against his interest it has double weight, and I pointed out Mr. Lippitt. The answer—I did not expect any—that the Senator gave to that was that those remarks showed the effect of association. That is no answer.

The only thing important about them is whether they are true or not. I stated here this morning the illustration given by the mathematical demonstration of the Senator from Pennsylvania the other day and the one given by the Senator from North Dakota just now, and various others—that the fact that the increases in price were small, even if they were really negligible, did not demonstrate anything, or, rather, did, because all of them added together—so much on shirts, so much upon shoes, so much upon food—a little negligible 3 cents on a dollar and a half shirt, a negligible 5 cents on shoes, a negligible 10 cents on dress goods, a negligible 25 cents on paint, and the negligible amount on everything else added together constituted the burden.

Mr. SUTHERLAND. Mr. President—

Mr. BEVERIDGE. Pardon me a moment. I say it is not important how my process of reasoning happened to be influenced. It was important only whether or not it was true; and I take as the basis of that summing up of conditions the statements made by my friends upon this side of the Chamber.

Mr. SUTHERLAND. Mr. President—

The PRESIDING OFFICER (Mr. Bacon in the chair). Does the Senator from Indiana yield to the Senator from Utah?

Mr. BEVERIDGE. Certainly. I always do. I will be through in a moment.

Mr. SUTHERLAND. The Senator, as I understand, proposes, by a reduction of the duties, to save to the American consumer the various amounts which he has stated?

Mr. BEVERIDGE. Not at all; by preventing the increase of duties. That is the way this debate arose.

Mr. SUTHERLAND. The Senator also proposes to reduce the duties, as I understood his speech the other day.

Mr. BEVERIDGE. Wherever they are a cent beyond what is needed for safe protection—and I will go with the Senator any distance for safe protection—they ought to be reduced. They then cease to be protection and become extortion. Justice first and expediency afterwards.

Mr. SUTHERLAND. The Senator proposes to save the consumer 3 cents on a shirt and 5 cents on a pair of shoes and a few cents on some other articles.

Mr. BEVERIDGE. On all articles raised to a point of extortion.

Mr. SUTHERLAND. Does he think it would be a wise thing, if his conclusion is correct, to reduce the duties in such a way as to save the laborer \$20 or \$25 a year upon the price of these various commodities and lose him \$50 on the scale of his wages?

Mr. BEVERIDGE. By no manner of means, and no person stated with more earnestness than I, not only on this floor, but wherever I have had the honor to be permitted to speak upon this question, that duties ought not to be reduced at all, they ought to be increased, they ought not to be reduced, they ought to be kept as they are, so as to afford proper protection, honest protection, and no more. The point is that under the guise of affording such protection as we all believe in—and no person more earnestly than the revisionists upon this side—there are instances, as it appears to some of us upon the evidence submitted, where it is more than protection. I ask the Senator this question. He is a protectionist, as I am; both equally good. Would he be in favor of a duty that gave more than necessary protection? I remember his illustration from the trout brook and rubber boots the other day.

Mr. SUTHERLAND. The Senator says he is as good a protectionist as I am. I beg leave to differ with him about that.

Mr. BEVERIDGE. Then, I will say, I am a more reasonable protectionist than the Senator.

Mr. SUTHERLAND. I think I am rather a better protectionist than the Senator has come to be in his latter days.

Mr. BAILEY. One has to be "good" before the other can be "better."

Mr. SUTHERLAND. I am very much afraid the Senator is ceasing to be a good protectionist.

Mr. BEVERIDGE. We will discuss that at some length if it comes up in this debate.

Mr. SUTHERLAND. I will say, however, in answer to the Senator from Indiana, that I do not believe in increasing duties beyond the measure of protection. But, as I said the other day, I do believe, when I am in doubt about it, in giving the American producer the benefit of the doubt; and if I am to err upon either side, I would rather have the duties a little too high than a little too low.

Mr. BEVERIDGE. I go that far with the Senator. I thought the illustration about the trout stream a good one, but because he thought the boots should be an inch higher and the water came up to his knees, would he insist upon an entire rubber suit?

I thought it was hardly worthy of the Senator from Rhode Island to talk about associations. These are honorable men on this floor, on both sides; all supposed to be trying to get toward the truth. No person has heard me put any imputation upon any man. I could have retorted to the Senator: "Did he account for his present state of mind by association—what association?" But it would not have been right. It would not have been fair.

What is protection? It has been defined by our platform. It has been defined by the man chiefly authorized to define it. It has been laid before the Senate. It is such a rate of duty as will afford a sufficient protection as to cover the difference between the cost of production here and abroad, adding also a reasonable profit to the manufacturer.

Now, can you say a man is not a good protectionist when he lives up to that, the most extreme rule we have ever had, and who, in the interest of saving the whole protective system, questions the wisdom of going beyond it? Does not the Senator see that the only danger the protective system has is in its unreasonable application beyond that? Does he not see that the attitude of mind which says that a man is not a protectionist when he differs with his friends about one-eighth of 1 per cent is the same attitude of mind of the Bourbons of



France over a hundred years ago, and that it is they who are placing the dynamite of injustice beneath the system and that it is we who are trying to take it out?

If you are building a wall and one perceives that a brick is being inserted that is not sound, because he insists upon taking that out and putting in a sound one does that prove he is not a good mason? Does it not prove precisely the contrary? When one talks about destroying the American system of protection it puts me in mind of the fact that it was not the peasants who brought on the revolution or any disturbance in France, but the dense, bigoted, and unyielding attitude of the Bourbons. I did not expect to go into that.

With reference to the other side, they can take care of themselves. They are not to be criticised nor the reverse for what they do, nor is any Senator here—

Mr. ALDRICH. Will the Senator permit me?

Mr. BEVERIDGE. Certainly.

Mr. ALDRICH. If it is true that a protective duty increases the cost to the American consumer not only of imported articles, but of all articles manufactured in the United States, then I am not a protectionist. I know of no man who is a protectionist; that is, no intelligent man who so contends; and, if I understood the Senator from Indiana correctly, he was announcing the doctrine as I have stated it; that is, that these increases of duty do increase to the consumers in this country the cost to the extent of the duty. If that is the doctrine of the Senator from Indiana, he and I have parted company.

Mr. BEVERIDGE. That simply proves this, that the Senator has got some stereotyped catchwords and labels, and that he classifies all human utterances according to those labels, and that when he finds one that does not agree with him he puts upon it that particular interpretation. He is in a state of mind where he does not listen and does not think. Now, nobody heard me say anything of the kind. I do not believe anything of the kind. This is what I believe: I believe that where competition is free and unrestrained, the effect of protection on an article which we can make in this country is ultimately to reduce it in price, and that it always has, and that that can not be interfered with except by the formation of a great combination which will regulate the prices. This is why I asked a moment ago the question which so needlessly excited the Senator from Rhode Island, and which was called forth by the remark of the Senator from Utah, that domestic competition would settle the question of prices which he otherwise admitted would be added by the tariff. I asked what if within thirty days of the passage of this bill we should find a great combination formed of all the producers of this particular class of goods. Then, I suppose, the Senator would admit in that case there would be a rise of price, or could be, by the tariff.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. BEVERIDGE. In just a moment. Again the Senator was not listening to me carefully, but in his mind he was conning over and over his familiar catchwords or he would have remembered that the illustrations which I took were taken from the Senator from Pennsylvania, who is as high a protectionist as anybody, the Senator from North Dakota, a member of the committee, in discussing this very schedule a moment ago, and several other statements which have been made on this floor.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. I do.

Mr. ALDRICH. The statements made by the Senator from Pennsylvania and the Senator from North Dakota and by several other Senators to the same effect were these—that if the cost was increased by the amount of the duty, the increased cost would only be so much.

Mr. BEVERIDGE. Very well.

Mr. ALDRICH. No Senator on this side of the Chamber, and acting as a protectionist and a Republican, has made any such statement.

Mr. BEVERIDGE. Very well; then—

Mr. PENROSE. Mr. President—

Mr. BEVERIDGE. Pardon me a moment, and then I will yield. The Senator will find my statement was substantially that if they are correct about that, then their argument was, it was negligible; that it did not amount to much, anyway—3 cents on a \$1.50 shirt, and so forth. I showed it did amount to something, because it is the sum of all these things that the consumer buys and not the little negligible items, that look laughable when we examine them here separately. So I accept the Senator's "ifs" put before the statement made here,

and put one before my own statement. If it does amount to little in detail, then it amounts to a vast deal in the aggregate.

Now I yield to the Senator from New Hampshire. I apologize for keeping him waiting so long.

Mr. GALLINGER. That is all right.

It occurs to me that the Senator's acute and usually accurate mind is not operating quite evenly to-day.

Mr. BEVERIDGE. It is Monday, you know.

Mr. GALLINGER. Monday. The Senator did picture this horrible burden that was to be imposed upon the people of the United States by these increases in cotton goods and boots and shoes, when we have actually decreased the rates on shoes in the bill as reported. Now the Senator says he did not mean to say that there would be an actual increase; that he accepts practically the suggestion of the Senator from Rhode Island that the duty exacted is not added to the domestic price.

Mr. BEVERIDGE. If they say "if," then I say "if," and the equation remains the same. I said that the old Republican doctrine, which we are trying to maintain, that is, protection of a reasonable amount, not an extortionate amount—I should have put that in, because then it can be added to the price—in the end, by reason of competition, reduces prices.

Mr. GALLINGER. What I wanted to call attention to was that the picture the Senator painted, which was dramatic and touching, that the poor laboring man was to have this burden placed upon him because of the increases of duties, some of which are not made, but are decreases in the bill, was hardly justified by the conclusion he reached shortly afterwards, that very likely the increases were not added at all to the domestic price, which we all know to be a fact. Those of us who have examined the matter know that in a very large proportion of instances the import duty is not added to the domestic price, but, on the contrary, as the Senator himself has suggested, by domestic competition the price is kept down and oftentimes lowered—always lowered when we take from the foreigner the absolute control of the product in our market, and, as a rule, lowered when we give the American producer an equal chance or perhaps a little more than an equal chance, which is my doctrine, with the foreigner.

Mr. BEVERIDGE. I think when the Senator comes to examine my poor remarks he will find in them a little more harmony than he thinks now.

Mr. GALLINGER. I hope so.

Mr. BEVERIDGE. If it does not exist, the Senator's remarks will supply it. I am sorry the Senator from Rhode Island is not present. He inspired all this. I am going to conclude. Does the Senator agree with this—they sometimes call the Senator from Rhode Island "the high priest of protection," but I doubt very much whether he has a right to wear those robes. I think the Senator from New Hampshire in degree and longevity is entitled to them. Does the Senator agree with this: That where protection is sufficient to cover the difference in the cost of production here and abroad and the profit of the manufacturers here, in the absence of a combination here to control and regulate the price, the result will be by competition to reduce it?

Mr. GALLINGER. I quite agree with him upon that proposition.

Mr. BEVERIDGE. Let me follow that up.

Mr. GALLINGER. Except I have not yet seen the ghost of combination in either the cotton or the boot and shoe industry, which seems to trouble the Senator.

Mr. BEVERIDGE. Let us stick to general principles for a moment. We will come to their application. We agree upon that?

Mr. GALLINGER. Yes.

Mr. BEVERIDGE. If we make the rates not only amply sufficient to cover the difference in the cost of production at home and abroad, but to afford a profit to the manufacturer—to allow for those three elements—does the Senator also agree with me, as I agreed with him on the other proposition, that the excess beyond the protective point may be added to the price?

Mr. GALLINGER. I am not so clear about that part, but I agree with the Senator that we ought not, as a rule, to make the rate so high as he has pictured.

Mr. BEVERIDGE. Very well. That is the whole question here. When Senators, whom the Senator will be the first to admit are earnest and sincere in their opinion, think upon the evidence that the rate is higher than that which the Senator himself says he would go, then they are not to be called "free traders," because they think that an eighth of 1 per cent or 2 or 3 per cent which has been added is not protection, but amounts, as we both agree it might amount, to extortion. If I wanted to be unkind I could make a dividing line, and when

men talk about our being divided into protectionists and free traders, I could say, "no, not between protectionists and free traders, but extortionists." But I am not unkind. I do not think that ever adds anything to the discussion.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield further?

Mr. BEVERIDGE. Yes; I do. I am through.

Mr. GALLINGER. I have made no unkind suggestion in regard to the Senator's position.

Mr. BEVERIDGE. No; you have not.

Mr. GALLINGER. And I am not going to. I concede to the Senator, as I concede to every other Senator, whatever his political convictions may be or his views on the question of the tariff may be, the right to hold to his views as strenuously as I do to mine. If the Senator believes these rates are higher than the provisions of the Republican platform warrant, certainly the Senator has the right to resist them.

Mr. BEVERIDGE. That is good. I thank you, sir.

Mr. GALLINGER. I do not think they are, and so I vote for them.

Mr. BEVERIDGE. I do not criticize the Senator. The Senator will concede that I have not criticized him, but when it is attempted to frighten men into an attitude from which their judgments and their consciences revolt, and when men are appealed to by "regularity" and a whole lot of catch words that amount to nothing—

Mr. BAILEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Texas?

Mr. BAILEY. No. I thought the Senator from Indiana was about to resume his seat.

Mr. FLINT. I simply want to ask the Senator one question, and that is whether or not it has not been apparent from the various votes we have taken on the amendments suggested to this bill and reported by the Finance Committee that the Senator's judgment and the judgment of the free trade or tariff reform Democrats have been the same on all these amendments?

Mr. BEVERIDGE. If I was determined not to do a thing that I resolved upon from the moment I came into the Chamber, I would make a retort to the Senator, but I never thought it exactly becoming to refer to where the votes on the other side go. That is their business, because—

Mr. ELKINS. Mr. President—

Mr. BEVERIDGE. Pardon me. No; I do not yield the floor. The PRESIDING OFFICER. The Senator from Indiana declines to yield.

Mr. BEVERIDGE. Because there are votes one way or the other. If the Senator would apply that rule I think he would not be in a very comfortable position. I do not think he ought to be. I will say this about voting with the committee. I was compelled to say it this morning. The Senator from Rhode Island compelled me to say it. I said I was sorry that on two or three votes that I could then remember and on many others that I can now remember, where the committee had apparently made a case, the case was literally torn to pieces afterwards and the member of the committee in charge of it admitted that his statements were incorrect; and still in spite of that a man is expected to vote for that particular rate. That is not fair.

Mr. FLINT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from California?

Mr. BEVERIDGE. Certainly.

Mr. FLINT. I did not make the suggestion in any harshness or with any ill feeling. I simply desired to call the attention of the Senator from Indiana to the fact that we seem to have reached the point where we are coming to a parting of the ways.

Mr. BEVERIDGE. I hope not.

Mr. FLINT. There appears to be a majority on this side in favor of the old doctrine of a protective tariff for American industries, and there seem to be others on this side who have abandoned that and have gone over with those who believe in a tariff for revenue only, or at least not for a protective tariff sufficient, as the committee believes, to protect the industries of this country.

Mr. BEVERIDGE. Oh, now, Mr. President, I am satisfied my friend will regret those remarks in a cooler moment. I do not think the Senator or anybody else or any other power is going to compel us to come to a parting of the ways when we both believe sincerely in the principle of protection. But I say this—and I think the Senator from California in his heart agrees with me—that the real safety of the policy of protection and its real defenders are those of us who will vote and work

and fight to keep out of a single item what appears to us upon the face of the evidence to be 1 cent more than protection, because it has been conceded here this morning by your associates that 1 cent more than protection is just 1 cent of extortion.

Mr. ALDRICH. Mr. President—

Mr. BEVERIDGE. Pardon me.

It is by keeping the system just—it is by making the people feel and know it to be the truth that we have as nearly a just degree of protection as is possible—that you are going to keep the people's affection for the protective system.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. Yes.

Mr. ALDRICH. As I understand the attitude of the Senator from Indiana, it is that the principle of protection is to be saved by some Members of the Senate joining with the well-known and understood opponents and enemies of that system to help pull it down. My ideas of saving a principle do not follow these lines.

Mr. BEVERIDGE. Mr. President, the Senator has made that remark three times, and in it there is no argument, and it comes very nearly not being pleasant, because I have not referred, except once or twice in a jocular way, to the Members on the other side who saw fit to vote against their comrades on that side and for what the Senator from Rhode Island [Mr. ALDRICH] thought was a protective duty and what they thought was a revenue duty. Mr. President, that kind of argument is too old, and if I did not have the affection that he knows I have for the Senator I would say that it is too cheap.

Mr. ELKINS. Mr. President—

Mr. BEVERIDGE. Pardon me a moment. I say this—

Mr. ELKINS. Will the Senator allow me? I want to ask the Senator a question, in view of the fact that the Republican platform adopted at the last national convention, which I regard as the strongest protection platform ever written, declares not only for the difference between the cost of labor in this country and abroad, but it goes further and declares in addition that there shall be a reasonable profit. There never was such a platform so pronounced in favor of protection adopted by any political party in this country.

Mr. BEVERIDGE. The Senator from West Virginia does not need to take up my time, because we have gone all over that while the Senator was out at lunch.

Mr. ELKINS. I did not get any lunch yet, and I have been in the Chamber continuously.

Mr. BEVERIDGE. The Senator drops in and makes a man's few minutes' remarks a continuous performance. I want to get a little lunch.

Mr. ELKINS. The Senator from Indiana did not allow me to finish my question, which I will do now. The platform declaring in definite and positive terms that the duty shall not only cover the difference in the cost of labor here and abroad, but shall allow for a reasonable profit to the American producer, all this is in favor of protection and American industry. Now, if this should add slightly to the cost of the article to the consumer, is it not better for our people and the country generally, because in manufacturing our own products we give employment to our people, keep at home the money we would pay for the foreign product, and build up home industries.

Mr. BEVERIDGE. Does the Senator know that between the Senator from New Hampshire [Mr. GALLINGER] and myself there was a controversy on that very question? Does the Senator mean to suggest that in the presence of the Senator from New Hampshire? I will answer the Senator, however, in a very serious manner. I wish the Senator had been here.

Mr. ELKINS. I have been here all the time.

Mr. BEVERIDGE. It would be good for the Senator to confer with the Senator from New Hampshire. He and myself have gone over this matter, and I will state the conclusion in common we have reached, that the measure of protection is the difference in the cost of production abroad and here plus a reasonable profit to the manufacturer, and that such a protective tariff should be placed on any article which will not increase the price in the end, but actually because of competition reduce the price, except where there is such a combination on a particular article that they can keep the price where they please. That is where we agree.

Mr. ELKINS. Now—

Mr. BEVERIDGE. The Senator asks a question. Let me answer. Further, we agree that if there is any amount more than is necessary to meet a fair measure of protection, as thus described, that that amount, as I say and as the Senator from New Hampshire admits, may be added to the consumer, and that in any case it is unnecessary, extortionate possibly, and



always dangerous. So the Senator from New Hampshire himself said that in such a case he himself would not vote to give a cent more than is necessary protection, and only as a matter of justice and as a matter of good policy. The only difference between him and me was as to the measure of protection.

Mr. ELKINS. The Senator I do not think has answered my question.

Mr. BEVERIDGE. I agree I did not fully answer it. What was the Senator's precise question?

Mr. ELKINS. Even if it did raise the price a little to the consumer, and I am one of the consumers as well as a producer, I am willing for my part to stand this additional cost, and I believe all good protectionists would also be willing to stand the increased cost.

Whatever this country consumes must not be ruled out of the calculation. Is it not better economic policy that the grinding forces of competition should reduce the prices, and that the duty should be imposed, as in the schedule on tin plate, because the man who paid the tax got it back and did not feel it in the reduction of price?

Mr. BEVERIDGE. Yes; but—

Mr. ELKINS. Wait a moment. I again ask: Is it not better to adopt the policy set out in the Republican platform rather than to give up the manufacture and production of these articles and send our money abroad and leave our people idle and unemployed as they are in England to-day, even if it be true there is a slight addition to the cost of the article?

Mr. BEVERIDGE. There is no danger of the Senator doing one of those.

Mr. ELKINS. I ask the Senator to answer the question and I will be satisfied.

Mr. BEVERIDGE. I will answer it.

Will the Senator point out where he thinks the price is to be added to the consumer? I say this, and everyone who believes in the theory of protection says the same thing—I do not know whether it is true of the duties in tin plate or not, but it is a good illustration—if at first there might be a little addition, even for a year, and it was clear that in the end the price would be reduced and a vast amount of labor employed and industries diversified, it might be permissible, as a matter of expediency, but I say that it is poor statesmanship, and, what is more, it is suspicious statesmanship, when any man takes that risk unless it is necessary, and when a man puts on a cent of taxes when he thinks it is unnecessary. That is what I say; and the Senator will not be able to get away from it.

Mr. ALDRICH. Mr. President, I wish to say just one word. The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Rhode Island?

Mr. BEVERIDGE. I yield, of course.

Mr. ALDRICH. The Senator from Indiana has several times alluded to extortionate rates. I suppose what he means by that are prohibitory rates, does he not?

Mr. BEVERIDGE. No; I will tell you what I mean. I think I will have to refer to that conversation a few moments ago which I had with the Senator from New Hampshire, because it seems to settle this thing. The Senator went out when I wanted him to stay. The Senator from New Hampshire and I agree that protection should be the difference between the cost of production here and abroad and a profit to the manufacturer, save that when it is extortion. Does not the Senator agree to that himself?

Mr. ALDRICH. I will answer that by a concrete illustration. Mr. BEVERIDGE. The Senator can answer it by yes or no. It is a principle, not an illustration.

Mr. ALDRICH. I will answer it by a concrete illustration. The specific rates imposed upon cotton cloths in the House bill and in the present law, the act of 1897, and the act of 1894, known as the "Wilson-Gorman tariff law," are practically prohibitory. There were few importations under them and there can be none in the nature of things.

Now, if the Senator thinks he is bound to vote against and to remove all the extortionate duties from the statute books of the United States, why does he not suggest that these rates, which have been practically prohibitory during all the time they have been on the statute books, shall be reduced? There are in the bill as it stands now before the Senate, and there has been in every tariff bill that has been enacted since 1861, many rates that are above the protective lines, which have been kept there because no man has suggested their removal. They have performed a great service by keeping out of the country the surplus of our manufacturing competitors at times when they had a surplus which they could not dispose of at home. So far as I know they had no result that was dangerous to the people of the United States.

And yet the Senator from Indiana and his associates who sympathize with his ideas in regard to this matter have not appeared here and asked to have those rates reduced. If the Senator desires to be a consistent opponent of high duties, why should he not try to reduce some of those duties and spend some of his surplus energies in that direction?

Mr. BEVERIDGE. I have heard what I little expected to hear. I knew my friend from Rhode Island was getting to be a higher protectionist as the years went on, but I never expected to hear him say, first, that he was in favor of maintaining prohibitive duties, and, second, I was startled to hear him actually say that there are on the statute books prohibitive duties, which have been kept there because nobody has paid any attention to them.

Mr. BACON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. BEVERIDGE. Certainly.

Mr. BACON. Will the Senator permit me a moment? I understood the Senator from Rhode Island to say that the cotton schedule is prohibitory.

Mr. ALDRICH. I said in certain respects it was. Of course there has been—

Mr. BACON. I simply want to call attention to the fact that under them the importation in 1907 was \$73,704,000 of manufactured cotton goods.

Mr. ALDRICH. The Senator misunderstood me if he thinks I said anything of that kind. I said the specific rate now in force upon cotton cloths on goods valued below 7 to 20 cents a yard are practically prohibitive. They are practically prohibitive and at the same time they are of a character that nobody has ever found fault with them because there has been no reason for it. They do not affect anybody injuriously and many of the goods are worth less than the duty. There is no person in the United States who is disposed to find any fault with it. I am not suggesting, as the Senator says, any argument in favor of prohibitive duties. They are there—

Mr. BEVERIDGE. I did not have to suggest it; the Senator said it. I will give the Senator an illustration: Within the last week, where I exercised some feeble activity to reduce a prohibitive duty, and not only a prohibitive duty, but an outrageous duty, the Senator from Rhode Island [Mr. ALDRICH] yielded on those universal necessities—bacon, hams, and lard. He himself brought in an amendment here which reduced his whole scale of duties 20 per cent, and he will find it in the RECORD. He then stated that even the rates existing in the Wilson law—3 cents—were prohibitive. He was not satisfied to fix a duty of 3 cents, which he said was prohibitive, yet he brought it in from his committee at 5 cents a pound on hams and lard and bacon—food necessities of the people—which he admitted in debate, and he will find it in the RECORD, was 2 cents higher than a prohibitive tariff, and he himself from his committee brought forward an amendment reducing it to 4 cents. Is not that true?

Mr. ALDRICH. The rates are fixed in this bill for protective purposes.

Mr. BEVERIDGE. What was that fixed for?

Mr. ALDRICH. For protective purposes as against possible importations under certain conditions. One is just as important as the other.

Mr. BEVERIDGE. Now will the Senator continue a colloquy with me?

Mr. ALDRICH. Of course; I can not help it.

Mr. BEVERIDGE. Yes; you can. I have the floor. The Senator originally agreed to that amendment—brought it in himself. For that purpose, was it?

Mr. ALDRICH. Which purpose?

Mr. BEVERIDGE. The purpose that you stated; for the purpose of protecting these daily provisions from competition under certain circumstances.

Mr. ALDRICH. That is right.

Mr. BEVERIDGE. Why did he wait for months after he had proposed his first rate and then bring in an amendment admitting that he was 20 per cent wrong?

Mr. ALDRICH. I stated frankly at the time I did it, I was hoping, but I hoped in vain, that the change of rate from 5 to 4 cents, which did not affect the principle at all and did not affect the result at all, would stop the discussion. It did not stop the discussion. I stated frankly at the time that it made no difference in my mind whether the rate was 4 or 5 cents. There was an attempt made to prolong the discussion upon the subject, and I said I would withdraw the amendment. That is the entire story.

Mr. BEVERIDGE. Why not apply that to this whole bill? I think the Senator can get an agreement to vote upon the bill

to-morrow by doing the same thing in proportion to other rates raised; he can with me. Why does he not do it?

Mr. ALDRICH. I am not sure whether the Senator speaks for anybody else.

Mr. BEVERIDGE. That is my opinion. I do not speak for anybody else. Will the Senator let me have an opinion?

Mr. ALDRICH. I must confess that I am a little puzzled about the question who is leading the opposition to the bill.

Mr. BEVERIDGE. There again comes an attempt to becloud the issue by personal references.

I will agree to go as far as the Senator. I concede to all Senators on either side, whether on the Democratic side or who disagree with me on this side, the fullest sincerity for the views as they have stated them. Why does not the Senator do as all his other colleagues? He is constantly saying "your associates." That is the trouble about this bill, and has been right from the start, and I am not the only Senator who thinks so. We have in good faith asked for facts and explanations, which we had a right to do, and it was their duty to answer with facts and explanations, instead of answering with sneers and retorts. That is what we have been given instead of the facts and the explanations which it was the Senator's duty, as the chairman of the committee and the servant of the Senate, to give to the humblest Senator on this floor.

Mr. ALDRICH. I intend briefly—

Mr. BEVERIDGE. I have treated the Senator very kindly.

Mr. ALDRICH. I want to say just a word, Mr. President. The Senator interrupted me in the middle of a sentence. He made a proposition that we vote on this bill immediately if we would do certain things. I was about to say—

Mr. BEVERIDGE. I was expressing an opinion.

Mr. ALDRICH. I have been greatly puzzled for a number of days to know to whom to apply for an agreement to take a vote on the bill.

Mr. BEVERIDGE. Apply to the Senate.

Mr. ALDRICH. I mean whose consent I would have to get.

Mr. BEVERIDGE. You have to get the consent of the Senate.

Mr. ALDRICH. It has been usual in matters of this kind, as to differences represented by the two different parties, to apply to the representatives of the minority party to see if some time could not be fixed for taking a vote, but I must confess that I have been greatly puzzled to know to whom to apply. As I said a few moments ago there seem to be a few privates but a large number of brigadiers leading.

The Senator from Indiana, who seems at the moment to have the floor, in that official position states that he will agree to take a vote if we will agree to certain propositions.

Mr. BEVERIDGE. The Senator will excuse me. I said I thought the Senator could probably get an agreement if he would at once follow the precedent he himself made in reducing the Senate committee's rate on hams, bacon, and lard.

Mr. ALDRICH. I think the Record will show that the Senator said he would agree.

Mr. BEVERIDGE. The Record will show.

Mr. ALDRICH. I would like to have, if possible—I do not know whether it is or not—some official declaration as to who are the representatives of the heterogeneous combination who are opposing this bill.

Mr. BEVERIDGE. Who is the official representative of that combination who are bound to go, as the Senator from South Carolina [Mr. TILLMAN] declared the other day, not upon the virtues of each individual schedule, but upon agreements to protect a certain number of schedules—lumber rates, lead rates, and so forth? Who is the representative of that combination?

Mr. ALDRICH. The Senator from Indiana has once in a while strayed into the camp himself. I think he voted for a duty on lead ore. He has been occasionally found in our midst, and I do not know to whom he refers as "this combination."

Mr. BEVERIDGE. I do not know to whom the Senator refers by "this heterogeneous mass." I admit, Mr. President—

Mr. ALDRICH. I withdraw that.

Mr. BEVERIDGE. If the Senator wants to use that term, he is tremendously for discipline himself; and I wish to say that yesterday I went to Concord and Lexington—and now that I think of it, the Senator in his successive preliminary victories reminded me of the advancing party—

Mr. ALDRICH. I think I have the floor.

Mr. BEVERIDGE. I yielded it to you, and you must not prevent this now.

His reference to the heterogeneous mass and his disciplined forces put me in mind of the advance of the well-disciplined, compact British troops of Major Pitcairn at Lexington and their first little victory there; but I remind him if he is the

Major Pitcairn of those advancing disciplined battalions, the end of the march is Concord and Old North Bridge. We are the minute men, if you want to put it that way; and you are the British. I do not know but that the revolutionary simile goes further—but I will not pursue it now.

Mr. BACON. I desire to say to the Senator from Rhode Island that there may be a well-founded doubt as to who is in charge and who can speak by authority on this side, but there is not a particle of doubt as to who speaks with authority on the other side. All that is necessary to get anything in this bill is to get the consent and approval of the Senator from Rhode Island, and they all vote that way.

Mr. ALDRICH. Perhaps I ought to withdraw the word "heterogeneous." Perhaps that word may be offensive to some Senators who have been in opposition.

Mr. BEVERIDGE. I suggest to the Senator, why does he not simply say "Senators?"

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Indiana?

Mr. ALDRICH. Certainly.

Mr. BEVERIDGE. Why does he not call us "Senators" here? We are equal in rights.

Mr. ALDRICH. I do not think the term "Senators" would quite answer the case.

Mr. BEVERIDGE. The Senator is afraid he will lose some of his well-disciplined mass by their straggling over into the heterogeneous mass unless he wields the whip of rebuke.

The PRESIDENT pro tempore. The Chair has not recognized the Senator from Indiana. The Senator from Rhode Island has the floor.

Mr. ALDRICH. The Senator from Indiana is aware, I presume, as well as the Senator from Georgia, that those of us who have the responsibility of this legislation are voting together because we are loyal Republicans, because we believe in the doctrine of protection, and we believe in its application to every interest and to every section alike. I think it is a matter of great congratulation to the people of the United States that there are a majority of Republicans and protectionists in this body who will control this legislation. But that was not what I was talking about. I was trying, if I could, to analyze the opposition to our position for the purpose of finding out whom I should address for the purpose of trying to fix a time to get a vote upon the bill.

Mr. BEVERIDGE. Address the Senate.

Mr. ALDRICH. Mr. President, if I followed my own inclination, I would, perhaps, be willing to agree with the Senator from Indiana that he was the representative of this combination—I will not say "heterogeneous combination," but this combination which seems to have one common purpose.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Rhode Island yield to the Senator from Indiana?

Mr. ALDRICH. I do.

Mr. BEVERIDGE. I can not permit the Senator to transfer to me that trade-mark, to which he alone is entitled—the word "combination."

Mr. ALDRICH. Mr. President, I think the Senator—

Mr. BEVERIDGE. I will ask the Senator if he thinks there is any one of the schedules over which we have fought hardest that had a chance of passing this body if it stood on its own feet and was not combined with the interest of other Senators and other schedules? What does he think about it?

The PRESIDENT pro tempore. Senators know the rule, and ought to obey it.

Mr. ALDRICH. The Senator has talked about defeat—

Mr. BEVERIDGE. Defeat? Not ours. I have talked about the British.

Mr. ALDRICH. The Senator has talked about the defeat of the will of the majority of the Senate sitting upon this side of the Senate. By whom shall that defeat be consummated? By Republican votes? No. How many are there of the Republicans who are willing to destroy or to break down this system? By whose votes does the Senator from Indiana expect to defeat the Republicans in this body if they are defeated? That is the proposition that he is discussing. If this initial engagement is to be followed by the final defeat of the Republican party, who is to defeat it? Where are the votes to come from? Who is to marshal these combined forces? What is to be the character of the new doctrine that these apostles are to preach to us? Is it to be the platform of the Democratic party, or is it to be the platform of a new party, with three presidential candidates in sight?

How does the Senator expect to consummate this union, this unholy alliance, for the purpose of breaking down the principles and policies of the party which stands for American interests?



I have respect for the Senators who sit upon the other side of the Chamber. I have respect for some of the Senators sitting upon this side of the Chamber—and I have two of them in my view at this moment—who have been in the past, and who are now consistent tariff reformers, who believe that the rates of duty are too high and have always believed it and have always said it. But we are confronted now with a new evangel, with a new doctrine that threatens to destroy us all, destroy us by Democratic votes, with an army who have no sympathy whatever with his movement or his leadership.

That is the plain story about this whole business. Here we have 29 Democratic Senators—

Mr. OVERMAN. Thirty-one.

Mr. ALDRICH. Thirty-one Democratic Senators, and a few others—

Mr. MONEY. Thirty-two.

Mr. ALDRICH. And a few others who are voting with them on every proposition involved in this bill; and yet the Senator from Indiana undertakes to lecture us and to say we are in favor of extortionate rates, and to say that he, with the aid of Democratic votes, is trying to save the Republican party.

Now, that mission will not be accomplished in that manner. The Senators who are here voting for these protective propositions represent the communities and the States that can, and have, and will elect Republican Presidents, and we are not here to be deflected from our views by suggestions that by a combination of enemies our party is to meet a Concord and a Lexington.

Now, gentlemen, there is no use trying to disguise this matter. We, as Republicans, are responsible for this legislation. I am in a responsible position as chairman of the committee having the bill in charge; and, so far as I am concerned and so far, in my judgment, as the great majority of Republican Senators are concerned, we intend to enact a tariff bill that will follow the principles of protection and a protective policy, whether it was written in the platform at Chicago or elsewhere. That is the highest mandate which was possibly given to us. That is the mission which we are here to carry out; and, whether the Senator is able to vote with 31 Democrats or any number—

Mr. STONE. Some of them vote with you.

Mr. ALDRICH. Some of them vote with us, as the Senator has stated.

Mr. BEVERIDGE. That suggestion did not come from me.

Mr. ALDRICH. No; but if the Senator thinks that by combining with the Democrats in this Chamber or out of it he is to assert and to uphold a new standard for the Republican party to follow in the future, I think he is mistaken. I do not know what the emblems upon that standard will be. I propose to find that out before I make a new departure in that direction.

No, the Senator from Indiana, I think, in his desire to have a vote and to be acknowledged as the leader of this combination-to-be—whatever I may call it—is mistaken in his premises.

Mr. BEVERIDGE. Mr. President, I make bold to say that if the Senator had begun at the beginning of this debate in discussing schedules and giving reasons and facts instead of hurling anathemas maranathas as to his questioners there would have been more reductions, as I think there will be in the end; and thus much of this difficulty would have been avoided. But the pursuit of the tactics which I have not seen with gratification for about ten days, and which is renewed here this morning, can not becloud the issue in the minds of intelligent men. The Senator says our party! Which party?

Mr. CLAPP. Will the Senator pardon me a moment?

Mr. BEVERIDGE. Certainly.

Mr. CLAPP. I wish to make a suggestion right here. The country is impatient at the delay in the passage of this bill. We have our differences on these schedules. This, thank Heaven, is one spot in this Republic where we can have debate, and we ought to have it on these schedules. But, without intending any reflections upon anyone in particular, I do not believe we are making any headway or that we are serving any public purpose in the discussion that has now ensued for the last two hours.

Mr. BEVERIDGE. Mr. President, the Senator from Minnesota has also, like the Senator from West Virginia, evidently been out of the Chamber regaling himself at lunch when the debate came up, or he would know what sprang out of the discussion, and the concrete discussion of certain items here this morning.

Mr. CLAPP. Pardon me one moment. The Senator from Minnesota has not been out of his seat here, but has seen the hands of the Senate clock pass two hours without Senators even touching upon the question of the merits of the schedules in this bill.

Mr. BEVERIDGE. Whose fault is that? The Senator from Rhode Island shakes his head—yet he has taken about as much time as anybody, and given practically all the provocation.

Now, about our party. It is just as much the party of the Senator from Iowa and the Senator from Indiana as it is of the Senator from Rhode Island, although he seems not to recognize that fact. If the Senator wants it to go out to the country as to which is the better Republican of the two, himself or myself, if he wants to draw between the Senators upon this side invidious comparisons, he can do so, and I think we will all be willing to take the country's judgment upon that question. But I know, we all know, that the purpose the Senator has advanced is merely strategical and is to consolidate the ranks that he has thus far brought together. I wonder if he has misgivings that he can much longer hold them together.

Mr. President, the same old thing has been said from the beginning. If it is a question of the rate upon razors, if we ask the facts; about carbons, if some suggestion is made that we should like to have a little information about that; about cotton or upon anything else, the Senator from Rhode Island, with great vigor, which I think is almost sincere, declares that we are trying to break down the system of protection. That is his answer. The reduction of one-eighth of a cent on lead was sufficient for the Senator to believe that we were actually becoming free traders. The intimation has been made that the Republicans would meet their defeat at the hands of the "combination." Well, Mr. President, the suggestion did not come from me; it never has; but it came from the Senator from Missouri [Mr. STONE], that there had been votes from the Democratic side with the Senator from Rhode Island that was for the "combination." I never charged it. Why, then, does the Senator, when we vote for what we believe in, charge us with a combination with men who believe more completely in what the Senator appears to believe than in what they were to believe in? I conceive that that is hardly a profitable line for the Senator to follow.

Mr. President, it is a question, not of principle, but it is a question of judgment on details, and I point out most sincerely to the Senator from Rhode Island once more, that the only danger the protective system is in is that it shall have injustice jammed into it, and that when we try to squeeze the injustice out of this bill, we are doing better service for the preservation of the system than the Senator is doing in keeping rates even 1 cent too high. The reason was explained in the speech of the Secretary of the Treasury at Chicago—I remember it very well—in which he said that we will have time for the currency law and we will have time for other things if we get the tariff settled so that the people will accept it, and we will get it settled that way only by a revision downward.

The Senator says that ours is a new doctrine. He is the only Senator upon this or any other side who has yet appeared to say that it is a new doctrine. The Senator from New Hampshire [Mr. GALLINGER], as he told the Senator, almost as earnest a protectionist as he, was able to agree with me upon what doctrine it was, but what we contend against is a perversion of that doctrine. If, in the end, we have any success in getting these reductions, it will not be by the aid of our Democratic friends, who when divided much have never voted with us in large and in such numbers as they have with the Senator from Rhode Island [Mr. ALDRICH]; but more reductions will come by the efforts of Republicans on this floor and Republicans in the House and elsewhere in the usual process of legislation. That is what I hope to see, and it is a reasonable hope.

The Senator referred to two or three presidential candidates—

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. BEVERIDGE. In just a moment I will yield.

Mr. President, I have never heard any presidential candidate suggested, except that man who is now our President, and who will carry our banner in the next campaign, and carry it to victory.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Indiana now yield?

Mr. BEVERIDGE. Certainly.

Mr. GALLINGER. Mr. President, I will occupy but a moment. I have no disposition to speak at length, as I want this bill hurried along as rapidly as possible. The Senator from Indiana has several times stated the fact that he and I agree. I want to call—

Mr. BEVERIDGE. We agree on definitions.

Mr. GALLINGER. I want to call the attention of the Senator to the fact that so far as the Chicago platform is concerned, we

do agree, but the Senator has used the term "extortion" several times, which I do not agree to, for the reason that even if the duty were raised beyond adequate protection, as defined by the Chicago platform, it would not be extortion. It would keep out foreign products; and if any harm came, it would come to the foreigner; but it would not be extortion so far as we are concerned.

I have very clear views as to the protective doctrine, and I enunciated them to the best of my ability in this Chamber fifteen years ago. I have just been looking at the speech I then made. I will not stop to read my definition of protection as I then gave it, but I think it is sound protective doctrine. We certainly ought to have tariff rates sufficiently high to protect our own people against competition on unequal terms with the foreigner. That is exactly what the Chicago platform declares, and I stand with every Senator, whether he is a Republican or a Democrat or a so-called "progressive Republican," upon that ground. I do not, however, think the term "extortion" a happy word.

Mr. BEVERIDGE. The Senator will remember the provocation that brought out the term "extortion."

Mr. GALLINGER. I was about to add that even though certain rates may be prohibitive, as those of us who are protectionists know they always have been on low-grade cottons and certain other inconsequential things in our tariff laws, no extortion is practiced.

Mr. BEVERIDGE. It was happier than the words "free trader" that were applied. Now, just one word more. The Senator from Rhode Island expressed some curiosity about what emblem would be painted upon our banner. His imagination, which recently is becoming very vivid, conjures up competition from China and Japan in the cotton industry. Now his heated imagination sees a new banner and he asks for an inscription upon it.

Well, I think I will tell him. Once in a while I read a passage in literature that makes a profound impression upon me. When a boy I read this, and I have never forgotten it. It is said of Richelieu, who was one of the greatest men who ever lived or ever will live, that, when he was dying, those who wanted to know the secret of his power came to him and asked him for it. The old man, with his declining strength, said:

Some say that it is cunning, that I am a fox; some say that it is courage, that I am a lion. My children, it is neither; it is simply justice, for I have been just.

From that time on, Mr. President, that dramatic tale sank so deeply into my soul that I have felt that justice is the sovereign word in all the world—just that one word, justice.

Mr. GALLINGER. Mr. President—

Mr. BEVERIDGE. Pardon me a minute. It is that which causes public peace, quiet, and content, and it is the absence of that which has caused every disturbance, economic and political, in the history of the world; and so the Senator can depend upon it, that the emblem that will be inscribed upon any banner under which I march—I care not by whom carried—will have blazoned on its ample folds that one word, "justice," and that is the emblem on our banner to-day—our banner, the old Republican banner, the American banner, with "justice" inscribed upon it.

Mr. GALLINGER. Mr. President, that is a beautiful sentiment. I will say to the Senator from Indiana, but he must remember that Aristides rather overworked it.

Mr. BEVERIDGE. No; I said Richelieu.

Mr. GALLINGER. True; but I referred to Aristides the Just, of whom the Senator from Indiana has read.

Mr. BAILEY. Mr. President, I certainly have no desire to interfere with the very delightful pastime of our friends on the other side, but I have not failed to observe that, even in their bitterness toward each other, they have both taken care to misrepresent the votes and the attitude of Democratic Senators. The Senator from Rhode Island [Mr. ALDRICH], replying to a statement of the Senator from Indiana [Mr. BEVERIDGE], stated that on some votes Senators on this side had shown themselves protectionists. The Senator from Rhode Island knows better than that, except possibly in one or two instances.

Mr. ALDRICH. I think that is true. If I said anything to the contrary I did not mean to say it. I think the Senator is entirely accurate in what he is now saying.

Mr. BAILEY. The Senator's statement was broad enough to include all Senators on this side.

Mr. ALDRICH. I withdraw the suggestion, then, because I know perfectly well that, with one or two exceptions, those Senators are not and could not be properly classed as protectionists.

Mr. BAILEY. Then, Mr. President, that relieves me from the necessity of making further reply to the Senator from Rhode Island. The Senator from Indiana does not happen to be pres-

ent at the moment to withdraw the suggestion which he made, which I have no doubt he would do if he were present and it were called to his attention.

There can be absolutely no excuse for any man to accuse a Democratic Senator of protection sympathies when that Democratic Senator votes for a duty of 10 or 12 or 15 per cent on any commodity. The suggestion that a Democrat must always vote for every motion to put every article on the free list can be reduced to an obvious absurdity. Suppose we had a majority—and we shall have it some day if these quarrels of yours continue—suppose we should have a majority in Congress, and one Democrat after another, professing himself to be a revenue tariff reformer, should move to put this and that article on the free list, and suppose the Democratic majority supported every such motion that was made, the result of it would be that we should have a tariff bill that would raise no revenue, and we would belie the ancient and time-honored professions of our party.

The Senator from Rhode Island knows the difference between a tariff for revenue and a tariff for protection, though some of his associates do not appear to know it. I am not sure that I can quote the rule laid down by James K. Polk in his message to Congress in December, 1845, but I believe I can substantially repeat it. No man before his day, and no man since that day, has ever laid down a more perfect rule or rather has ever made a more perfect statement of the rule.

Mr. Polk's declaration was this: That as long as it was possible to raise the rates without diminishing the revenue you were within the lines of the Democratic party, and that a man only ceased to be an advocate of a tariff for revenue when he voted for a rate so high that it would diminish the revenue. Under that test—and I invite its application to all the votes we have given—it is not true that any man can fairly charge the Democratic Senators in this Chamber with advocating protection.

There may be one or two protectionists on this side; but that is not unusual. Mr. President, men forget, or else they did not have the industry to learn, that when the Democratic tariff act of 1846 passed this Chamber it passed by a majority of one vote, and that one vote was cast by a Whig, acting under the instructions of the legislature of Tennessee. Nor must it be forgotten that on the passage of that bill three Democrats voted "nay"—the two Senators from Pennsylvania and the Senator from Connecticut, as I now recall, Mr. Niles. At one time the vote on that bill was a tie. Upon the motion to engross the amendments and to pass the bill to its third reading the vote was a tie, three Democrats having voted with the Whigs, the Whigs voting with unanimity. That tie was dissolved by the casting vote of the Vice-President of the United States in an address which it would be well for Senators even in this day to read.

Not only is that true, but the Whig tariff act of 1842 passed by a small majority, receiving the votes of four Democratic Senators, and four Whig Senators casting their votes against it. One of the Democratic Senators that voted for that Whig tariff act of 1842 afterwards became the President of the United States, nominated and elected as a Democrat. James Buchanan sat here then as a Senator from Pennsylvania, and on the roll call he voted for the Whig tariff act of 1842. The Democratic party, and no other party, has ever been so proscriptive as to demand of everyone who professes its faith absolute obedience in all things. I regret that Democrats ever differ, but we do not more frequently or more widely differ than Republicans do, and you will perceive that when you call the roll. I venture my reputation for foresight, poor as it may be, that when you call the roll on the passage of the pending bill more Republicans will vote against it than Democrats will vote for it.

Mr. President, it is well enough in this time, when accusations are flying thick and fast, that we remember that our fathers were not less divided on both sides of the Chamber. But they were more tolerant. Perhaps I might relate, and it is worth while to relate, that in 1844 the Democratic banner in the pivotal State of Pennsylvania bore this legend: "Polk, Dallas, and the tariff act of 1842." It was as if in the last presidential campaign we had written "Bryan, Kern, and the Dingley law;" and yet, remarkable as it may appear, the Democratic party carried the State of Pennsylvania in that election, and, remarkable as it may also appear, Henry Clay carried the State of Tennessee, the home of Mr. Polk, by the slender majority of 133 votes.

These divisions, Mr. President, are not new; indeed, I think they are less than they formerly were on this side, and they are greater, I rejoice to say, than they formerly were on the other side. I rejoice in your divisions, because I believe out of



them will come some good to the Democratic party and more good to the people of the country. Your arguments to-day will sink into the minds of the American people and they will be understood. One Republican stands up and says, "I am not in favor of an extortionate tariff;" another stands up and says, "I am in favor of a reasonable protection," and yet both of them declare that protection does not increase prices to domestic consumers. How can they reconcile it? If protection does not increase the price to the American consumer, why does any Senator object to any rate? If protection does not increase domestic prices, then 5 per cent is no better nor worse than 500 per cent. How can one protection be a reasonable one and another protection be an extortionate one, unless all protection increases pro tanto the prices of these commodities to the American consumer?

Indeed, Mr. President, why do you want a protective tariff? You say you want it to enable manufacturers to pay American laborers more than they could pay them under a free trade or a tariff for revenue régime. How can you pay the laborers more for making the goods unless you charge the consumers more when they buy the goods? According to every rule of logic in the world, your platform commits you to the proposition that protection will increase the price to the American consumer on every commodity on which a duty is laid.

I assumed, until we passed into this debate, that that was admitted in the main. The first great argument ever made in this country on behalf of the establishment of manufactories was made by Alexander Hamilton in that elaborate report which he made to Congress in 1791. He did not attempt to disguise the fact that the duty would in a large measure be added to the price of the article. They did not then make the labor argument which you make now. Strange to say, one of the original objections to the proposal to establish manufactories was that labor was so scarce and high in the United States that factories never could be successfully operated.

It was urged then that high wages were an impediment to the establishment of manufactories, but now you say that protection is the cause of high wages. But whether cause or effect, whether an obstacle or not, it is still true, if your Republican platform means anything, that you recognize that a protective tariff will increase the price which the manufacturer receives for his goods, although you promise to distribute that increased price to his laborers and add the balance of it to his profits.

Mr. President, I, myself, am not very much surprised that Republican Senators differ about the meaning of the Republican platform. I believe it was deliberately written to possess a double meaning; I believe it was written so that protectionists could read it up and tariff reformers could read it down. I am more than justified in that belief by the utterly irreconcilable constructions which Republicans of equal intelligence, of equal sincerity, are daily placing upon it.

But, Mr. President, I did not rise for that. I only rose to utter my protest amidst these Republican altercations against having the participants in them misstate the position of the Democratic party. Whenever a Republican can point to a vote that we have cast above a reasonable revenue standard, except when we voted for a lower protective duty as against a higher protective duty, then he can accuse us of favoring protection; but until we do cast such a vote no honest man among them has a right to say that we are in favor of protection.

Mr. DOLLIVER. Mr. President, a question has been raised here as to those of us who are not always able to agree with and support what the Finance Committee presents, and such a challenge by the leader of the Republican side of this Chamber requires even that the humblest man here who is not always able to agree with him should not permit the pressure of time to excuse him from stating exactly what he represents.

I have made no combination in this tariff controversy with anybody on either side of the Chamber. I have tried to get a just combination with the facts and figures which concern these tariff schedules. I have sought by conscientious study to find out what these rates ought to be, and wherever I have found in the report of the Finance Committee a rate which appeared to be higher than it ought to be I have not hesitated to introduce an amendment to reduce it to a reasonable level. It has not hurt my feelings at all that our brethren on the other side of the Chamber have so often concurred in these amendments. My theory is that every man stands on this floor face to face with his duty as advised by his individual judgment and information upon the question. I shall seek no votes on either side of this Chamber except by public discussion here, which I have not altogether abstained from as to the details of this measure. I not only refused to go about seeking votes, but it has long since ceased to be a part of my expectation to receive

enough votes to give effect to the opinions which I have felt called upon to express about some of the schedules of this bill.

Yet, Mr. President, it ought not to be said that I do not represent anybody. I am trying to represent nearly 3,000,000 people, whose commission I bear here. I am trying, also, to interpret as best I can the purpose and the promise of the great party to which I have devoted the energy and strength of my whole political life, and I desire to call the attention of those who would narrow and belittle the work I am trying to do here to the fact that I am not without countenance in high circles among those who are now responsible for the administration of the Government under the platform and the purpose of the old Republican party, for on last Saturday night the Secretary of the Treasury, speaking in his home city, used these words:

What the people expect—

He said—

What the people expect is what the protectionist Republican party promised in its last year's platform, as interpreted by its candidate for the Presidency, and while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out.

Mr. BEVERIDGE. Will the Senator permit me there?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I had heard from certain sources that the term "revision down and out" was to be applied to the revisionists. One little sentence will let the air out of the bubble and that is this: What we have contended for is against an increase of the duties fixed by the House, and not for a decrease.

Mr. DOLLIVER. I have found it very convenient and consistent with my own purpose and view to disagree with nearly every proposition to increase the House rates, although not in all cases. I have already said that I am myself governed by old-fashioned Republican doctrines; and wherever an industry appears to me to need a higher duty than the House gave it, or even a higher duty than the Dingley law gave it, I have not hesitated, after careful consideration of the question, to stand by the ancient Republican faith.

The doctrine which I represent here is that we ought to reduce these duties when it can be done without a violation of the principle of protection as interpreted by the Republican party, and especially as interpreted by the leadership of the Republican party in the administration of which we are ourselves a part.

I find the Secretary of the Treasury saying that the Republican party promised in the last platform, as interpreted by its candidate for the Presidency, that there should be a revision downward. He says distinctly—and I will print that portion of his remarks relating to the tariff which appeared in the Chicago Tribune and the Chicago Record-Herald—if that is not done, the tariff question will not be out of the way. He says the demand for tariff revision was not for a radical and not for an impracticable reduction.

He says that—

Everybody understood that the Republican platform stood for and would continue to stand for protection—

Nevertheless, he says that it was the understanding of the public and it was the profession of the leadership of the party that the schedules of the tariff should be on the whole reduced.

The following is from the report of Secretary MacVeagh's speech as it appears in the Chicago Record-Herald:

#### PREDICTS TARIFF REVISION.

Upon the question of the tariff Mr. MacVeagh predicted that the revision would be such that the people would accept. The main point was to satisfy those of the Middle West. "But if they are not made satisfied," he said, "then the tariff question will unfortunately not be out of the way and we will not have rest and we will not have a clear field for currency reform." The demand for tariff revision, he insisted, was not for a radical and not for an impracticable reduction, because everybody understood that the Republican party stood for and would continue to stand for protection. "What the people expect," he contended, "is what the protectionist Republican party promised in its last year's platform as interpreted by its candidate for the Presidency, and, while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out."

I will add the somewhat fuller report in the Chicago Tribune of the same date:

#### TARIFF TO PLEASE PEOPLE.

It seems to me that the chances are largely in favor of a revision that the people will accept.

What the people expect is what the protectionist Republican party promised in its last year's platform. And while it is talking against the wind to argue that the revision expected is not a revision down, it would be equally futile to say that the revision down was promised to be a revision down and out.

In conclusion, one word about the President. He, too, seems to be of good cheer as to this tariff question. He seems to place great reliance upon the wisdom of the Congress and upon its public spirit. Of course it is easier to be complacent when you know you have the last word, and that the last word is a combination of language and big stick.

The President is an optimist and tremendously able, with full confidence in his ability to bring things to pass. He is so strong and big and confident that he will wait a long time, however, before he will fully use his strength, but the impression he makes is that if his antagonism should be aroused nothing could stop him.

His mind is wedded to principles and ideas. He is just. He is generous. And he is the most attractive and delightful man to work with that you can possibly imagine.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. SMITH of Michigan. I simply want to observe at this point, if I have the privilege of the Senator from Iowa, that the statement attributed to the Secretary of the Treasury last Saturday night, and which he has just read, reveals that distinguished officer of our Government in a marvelously consistent light. He entertained exactly the same views in 1892.

Mr. DOLLIVER. I am prepared for the general disparagement of the Secretary of the Treasury as being wanting in republicanism—

Mr. SMITH of Michigan. I am not disparaging him.

Mr. DOLLIVER. Then for what purpose does my friend rise?

Mr. SMITH of Michigan. Simply to show that he is consistent in his views, and some of us hope to be in ours.

Mr. DOLLIVER. For nearly twenty years the Secretary of the Treasury has been consistent with the views and the interests and the candidates of the Republican party, and he stands now in the closest confidential relation possible with the President of the United States. Is he disqualified to say that the Republican platform, as interpreted by the President, led the public to expect a revision of the tariff in a downward direction?

Mr. SMITH of Michigan. No, Mr. President, I do not consider that he is competent to say it, or at least to bind the Republican party by his declaration. I have no words of criticism to offer upon the public life or the character or the intelligence of the Secretary of the Treasury, but I can not forget that while Benjamin Harrison was upholding the banner of protection as our party understood it, the present Secretary of the Treasury, if my memory is not at fault, left his party and joined the party of Mr. Cleveland for a downward revision.

Mr. BEVERIDGE. Will the Senator from Iowa permit me?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. Surely the Senator from Michigan does not object to these hundreds of thousands and millions of recruits to our party, which we have obtained from other parties, especially when they embrace such brilliant and eminent men as the Secretary of the Treasury.

Mr. SMITH of Michigan. I do not object, but I decline to hand them the banner under which I have marched from young manhood.

Mr. DOLLIVER. By the time the Senator from Michigan proves that the Secretary of the Treasury, by his political record and by his political views, is not a fit associate in public responsibility for the President of the United States, I will get ready to admit that those who sympathize with my views here are not well calculated for harmonious cooperation with the Republican party as represented in this Chamber.

Mr. SMITH of Michigan. Mr. President, I do not intend to be put in the attitude of criticising either the character or the public service of Secretary MacVeagh. He is an accomplished, able, patriotic, honorable man, and the President of the United States has exercised his usual good judgment of men in this case, and he is responsible only to the American people for his choice. I do not intend to criticise him for the selection of his official family, but I would no sooner be bound by the advice of the present Secretary of the Treasury in my course upon this bill than I would be bound by the counsel of the Secretary of War, or any other Democrat, if he were to give it upon this bill, able and honorable as he may be.

Mr. President, I had not intended to take any part in this discussion. I do not propose to do so now. The Senator from Indiana gave his illustration of the faulty brick to be taken from the great structure of protection, and says that should not be regarded as a species of political vandalism.

I do not so regard it, but I call the attention of the Senator from Indiana to the fact that the last revision of a Republican protective tariff consisted only in taking a few bricks out of the structure here and there. Unfortunately, however, those bricks were withdrawn by vandal hands from the tariff wall, and when the tide came in the whole industrial system of our country was submerged in ruin and disaster and there floated upon the sea of idleness millions of our countrymen, until the bricks were replaced and the wall perfected under the leadership of the great McKinley.

Mr. President, not very many months ago it was my pleasure to pass through the little Kingdom of Holland, a kingdom not highly favored by nature, lower than the sea. The sturdy Dutchman pushed back the sea and planted a garden where the

surly Neptune had so lately set his trident. If my information is correct, the sea has not gone over the dikes of Holland for many years, and yet if the Senator from Indiana and my honored friend, the Senator from Iowa, were to approach the Queen of the Netherlands and suggest to her that, inasmuch as the tide had not gone over the dikes for so many years, perhaps they might engage themselves in boring a few holes through it just for the amusement and the delectation of the people, what think you the young queen would say?

She would say to the Senator from Indiana with all his plausibility and eloquence, "Sir, these dikes around Holland are the safety of our people. They sleep better behind them. They pursue their daily vocations with a greater sense of security because the dikes are there;" and I hardly think any eloquent man, no matter how vigorously he might plead with the Queen of the Netherlands, could get her to take down those traditional bulwarks for fear that, at some time, in the darkness or the storm, there should come a tide high enough to sweep over the barriers built by the enterprising people of Holland. The tariff is our industrial dike, behind which the activities of our people thrive and prosper, and we must not impair or destroy it.

Now, sir, I regard the commercial enterprise of our people as sacred in our hands. I would not have foreign-made goods used by the American people if we can produce our necessities at home. I do not favor tempting the American consumer to buy foreign-made goods. I am a firm believer in the use of the handiwork of our own genius. This custom has contributed more to the comfort of our people—their prosperity and happiness—than almost anything that legislation could aid. I am a firm believer in this principle.

When I came to Congress the first time the people in my State were almost a unit in favor of the repeal of the Wilson-Gorman law. Our people were then unemployed; millions of them without wages and without food. The soup houses were the permanent boarding place for many of our laborers. They sent me here to help repeal that law, and I cast my vote for the passage of the Dingley law, and received the almost unanimous approval of the people of my district for so doing.

That law had scarcely been enacted before our factories were humming with the rattle of the busy looms, our forges glowed with furnace fires, the ports of our commerce stirred with the pulses of enlarged trade, and improvements in city, town, and county added to the beauty and utility of the land. I am not here to criticise or strike down the system which has brought such prosperity to our people, either piecemeal or otherwise, but I am here to protest against its destruction. Every vote I cast from the beginning to the end of this proceeding shall be cast with the desire to preserve to the American workman the blessed American privilege which he now enjoys, and I decline to join in any wholesale raid upon it.

This system has put to the credit of our laboring people more money than they have ever saved before. Our savings banks are the repositories of their surplus wages, and millions upon millions are being stored away for their old age and the dependence of the family, and I decline—

Mr. STONE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Missouri?

Mr. SMITH of Michigan. No; I do not care to yield.

I decline to subscribe to the idea that we should begin cutting this tariff piecemeal in the interest of our rivals across the sea.

Mr. President, I rose merely for the purpose of expressing my view upon paragraph 321. When we passed the Dingley law there was no such commercial product as mercerized cotton cloth. We did not anticipate its manufacture. If, as the Senator from Iowa says, mercerized cloth was caught by the ad valorem of the Dingley law, I think he and I will agree that it was caught by accident rather than by design. But be that as it may, the mercerization of cloth is a great, growing, important industry. It is a fabric so attractive that those who have hitherto used foreign silks will prefer the mercerized goods instead. The tariff which we seek by this paragraph to supply seems to be what is required to preserve and to support the industry.

I do not desire foreign mercerized cotton to be used by the American people. I will not vote to make it easy for them to use it so long as our domestic product can be obtained reasonably, and in so doing shall be consistent with what I believe to be the best interest of our country.

Therefore, Mr. President, without going further or detaining the Senate I will simply say that those who disagree with me are certainly actuated by the same honorable and worthy motives as myself, and without in the slightest degree impugning their loyalty to our party or their patriotism or their



high sense of duty to their countrymen, I accord to them the same rights that I take to myself. I am wholly satisfied with this provision and shall cheerfully vote to make the duty specific upon this line of manufactured fabrics.

Mr. CUMMINS. Mr. President, evidently some of my Republican associates have been a little disturbed at the suggestion that they are Democrats. That has long ago ceased to disturb me. A certain kind of Republicanism has been calling me a Democrat for the last six or eight years, and I have become so accustomed to the charge that I can hear it with unruffled composure; and I hope that these friends of mine, who seem to think that the country at large will regard that as a disparagement, will take courage, because there is an intelligence abroad now that weighs the opinions of men and determines the position of men without regard to appellations and without regard to the attempt here or elsewhere to expel men from the Republican party because they are not willing to accept the Republican doctrine as it is expounded by those who are about us.

I do not challenge the Republicanism of my friend the Senator from Michigan [Mr. SMITH]. He has been entirely consistent, and I think he will be consistent to the end. He does not believe in reducing duties at any time or under any circumstances. He does not believe in the Chicago platform. He does not believe in the revision of the tariff that is now in progress. Never at any time did he lift his voice to bring about the revision through which we are now passing. I applaud his consistency. I admire the courage that he manifests in standing here and telling the American people that rather than reduce a single duty in the Dingley law he would lift up the bulwark that surrounds the American market.

His illustration, so apt, so pertinent, so accurate of the dike that keeps out the ravages of the sea from that little country abroad, shows precisely what he thinks of the tariff; and he would year by year add a little to the height of the tariff wall lest by some mischance, lest by some development, lest by some growth that we can not anticipate, in an evil moment a drop of water shall spill over this protection to a defenseless people.

I understand him, and I rather admire him because he has been so persistent and courageous in the effort to destroy the reduction of any of the duties in the Dingley law.

I understand, too, his philosophy—and there are a great many, I fancy, who hold it—namely, that no evil can come to the American people because the duties upon competitive products are too high. He minimizes the dangers that lie in the combinations, in the concentrations that are the striking characteristic of the last decade. He imagines that if the duties are higher than are necessary to measure the difference between the cost of producing here and abroad, with a fair profit to the manufacturer, the American people can not thereby be injured, that no danger can come to them, because he believes that in every field of American industry there is full and complete and substantial and effective competition. He believes that there is no such thing as a combination. He declines to open his eyes to the existence of a trust; and believing so, if I believed that there was no tendency in these modern times to interrupt the ordinary laws of business; if I believed that competition was an effective force in commercial affairs as it was in former times, I would not be insistent with respect to the reduction of duties. It is only because I believe that there is in the life of America, there is in the commerce of America, a tendency to destroy competition, that I am here to uplift my voice from time to time in favor of limiting duties to the fair difference between the cost of production abroad and at home.

These Senators who apparently repudiate the notion that any duty can be too high, are ready to assert that in the steel business there is full, complete, and perfect competition. They refuse to accept the manifest fact that there is just one concern that by the consensus of belief upon the part of those who know something about the business fixes the price of every pound of iron or steel sold in the United States. I am not asserting that there are not independent manufacturers, but they have no more influence upon the price of that product than though they were engaged in the manufacture of gossamer thread instead of steel rails or structural iron.

I believe, therefore, that with regard to these products it is of the highest importance that the duty shall be just sufficient to insure the manufacturer of iron and steel in our country a fair profit, leaving the fear and menace, whatever those forces may be, that if the prices are lifted up beyond a reasonable point they will challenge competition from abroad.

I have no hesitation in saying that while I am a profound believer in the doctrine of protection, while I will vote to place upon any product of an American mine, factory, shop, farm, a duty that will measure amply—not meagerly, but amply and fully—the difference between the cost of producing that article here and abroad, there is one right held by the American people more sacred than the right of protection. There is one thing more necessary to preserve our institutions in their full vigor and to preserve the character of our people in its full exaltation than the principle of protection. There is one thing we must have if America is to accomplish the destiny that we all fondly believe lies before her, and that is a fair and an even chance upon the part of every man, woman, and child in the battle of life. This is the most potent force in the civilization of the present age, and when we look into the commercial world we call this force "competition." That we must have. I want the competition of the United States, if possible, but I want the competition of the world, if necessary.

The consumer—that much-maligned, that much-despised, that supposed mythical man, the consumer—is better entitled to competition than the producer is to protection; and I found my political economy upon that fundamental principle.

It is idle, Senators, to say that men who believe there ought to be a limit to duties are disloyal Republicans. I was very sorry to hear the Senator from Rhode Island say that those who were voting for the report of the committee were loyal Republicans. I have no doubt they are, but I fear that he intended to have it inferred that they are the only loyal Republicans in this Chamber.

Mr. ALDRICH. Oh, no; I did not intend that.

Mr. BEVERIDGE. Just what did the Senator intend?

Mr. ALDRICH. My intention seemed to be perfectly plain. We are here charged with the responsibility of passing this tariff bill, and the men who vote for it and the men who support its provisions are certainly loyal Republicans. I did not intend to specify anybody else, nor do I now.

Mr. CUMMINS. I am sure the men who vote for it are loyal Republicans, but I was alarmed lest unthinking people would draw the inference that in the opinion of the Senator from Rhode Island those who differed from the committee were not loyal Republicans. I have myself expended as much time and as much strength for the Republican party as any man of my years in this Chamber. I love its history; I am proud of its leaders; I have sublime faith in the justice of its principles; and as I have had occasion to say more than once, there is no man, I care not how powerful he may be, how influential he may be, who can put me out of the Republican party.

Mr. ALDRICH. I hope the Senator will do me the justice to say that I alluded to him expressly, or intended to do so, when I said that there were Senators here who had always held that view—of course, inside of the Republican party. I had no idea of saying that the Senator from Iowa or any other Senator was outside of the Republican party. I have no authority to say whether a man is a Republican or not. That is a question over which I have no control and no desire to have control.

Mr. CUMMINS. Mr. President, I did not understand the Senator from Rhode Island to make the remark from which I drew the inference I stated. It has been made by others, however, and I could not allow this opportunity to pass without giving it at least the respect of a passing glance.

I have not accused the Senator from Michigan, nor shall I, because I have not heard him say anything here from which such a conclusion would naturally follow, but Senators who have heard this discussion will understand what I mean and to whom I refer in a broad and general way.

Now, let us see about this. I hold the Democratic party in the highest esteem. I hold its members in the highest regard, but I am not a Democrat. I do not believe in the economic doctrines which they announce from time to time, and which undoubtedly they believe to be sound and safe for the Republic. I do not believe in a tariff for revenue only, as I understand that maxim; and unless you, Senators, want to disintegrate the Republican party, unless you want to destroy its strength, it seems to me there ought to be an end here of either direct or indirect challenges to party faith.

I suppose that our friends upon the other side of the Chamber vote for a lower duty each time because they believe that the lower duty more nearly approaches the revenue standard. There is nothing inconsistent in Democrats so voting, nor is there anything inconsistent in the Senators who believe that the Dingley duties ought to be reduced in proposing from time to time such reductions of duty as we think are necessary to insure the welfare of the people, but which at the same time

will not allow one drop of that salty sea to pass into the farms and the gardens of the people of Holland. We are not here for the purpose of inundating Holland or any other municipality or country, but we are here to protect if we can against excessive duties our own people, our own consumers.

I have heard a great deal said here about consumers—that there are no consumers. There is a sense in which that is true, because nearly every man is a producer as well; but take the very schedule that we are now investigating. The cotton mills are the producers of cotton cloth and the whole country are the consumers of cotton cloth. When you come to measure these duties you are bound to look not only to the interest of those who manufacture cotton cloth, but those who use cotton cloth as well. The one is the producer, the others are the consumers.

As suggested by the Senator from Indiana [Mr. BEVERIDGE], when you put this duty upon mercerized cotton cloths, unnecessarily, you have given it in the power of the cotton producers by combination to lift their prices with the American people to a point that will give to them not a fair and reasonable profit but an unfair and an unreasonable profit. This is what I call excessive and inordinate protection, and it is this which, if persisted in, which if it finally becomes the established policy of our party or any other, will overthrow it just as surely as time records itself with the passage of day. It can not be otherwise.

We are remitted, then, to the investigation of this particular duty. When I rose, I rose really to speak about the duty, but there was another suggestion made by the Senator from Rhode Island which I knew perfectly and which I have observed in the campaigns I have made for years. The Senator from Rhode Island says, and he says truly, that there are in the Dingley law and in the proposed law as now reported to the Senate many duties that are prohibitory, many duties that are much higher than are necessary to accomplish the result to which, as Republicans, we are pledged.

That is just the source of my complaint. May I say to the Senator from Rhode Island, I hope, and all Republicans holding a faith like mine hoped, that the Committee on Finance, with its more extensive opportunities for knowledge and investigation, with its more technical information respecting these subjects, would eliminate before the bill was reported these duties which, according to the statement of the Senator from Rhode Island, are in conflict with the platform announced at Chicago, and to which every Republican in the land is pledged if he desires to remain a member of that organization?

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I did not say they were in conflict with the platform adopted at Chicago, nor do I think that they are.

Mr. CUMMINS. Let us see about that. It is quite true that the Senator from Rhode Island did not say that these duties were in conflict with our platform announced at Chicago, but what did he say? He said that they were higher than measured the difference between the cost of production at home and abroad, that they were prohibitory, and that nothing could be imported into this country against them; not only that they gave to our producers a fair chance in our own markets, but that they gave to our producers the only chance in our market.

Now, let us see whether that is in harmony with a statement which declares that our duties shall measure the difference between the cost of production abroad with a fair reward upon the capital required for enterprise. I assume that the inference I have drawn must necessarily be drawn by every intelligent man, by even the casual reader who compares the platform at Chicago. Is a duty so high, as the Senator from Rhode Island has said, that it not only measures the difference between the cost of production at home and abroad but that was greater than the selling price of the commodity in our own market? If any man can attempt to reconcile such a duty with the Republican declaration at Chicago, he will have more ingenuity and mental acrobatics than I possess at the present moment.

I hoped that all these duties, unnecessary for the protection of the people and alarming and menacing to the party as a political organization, would disappear when the Finance Committee took up this bill for consideration. I want to be understood upon that point. I hope it without any combination at all, because we disavow combinations. There has never been a single suggestion of concert between those who believe in a tariff for revenue only and those who believe in a reduction of these duties to the protective point. In all this time, in all this debate, I have not heard a suspicion of collusion or com-

bination between the men who hold these two beliefs, and they are just as radically dissociated from each other, they are just as widely separated from each other, in principle as is the plan of the Senator from Rhode Island from the plan of the Senators upon the other side of the Chamber.

We differ from the committee sometimes, not always. The Senators who have been thus characterized have not differed always; on the contrary, more than half of all the paragraphs reported by the Senate committee have been adopted without protest, without suggestion of reduction, because we believe, if you please, that reduction was unnecessary. We have proposed reduction and opposed increases only, I will not say when we knew, because that indicates a certainty that can not come to the human mind, but when we believed that the duties that you proposed were higher than were required by the platform of our party and higher than were required by the safety and the welfare of our people. Therefore, we have done what little we could as I think in an intelligent and in a discriminating way to reduce these duties.

There are Senators here, and many of them, and I say no word against them, who vote to sustain the report of the committee, and they vote for the committee simply because, I assume, they believe in the judgment of the committee, because I venture the assertion that a good many of them at least have not made any independent investigation with respect to the duties upon these various articles. They vote because they believe that the Committee on Finance has reached in all probability a wise conclusion. I honor them for that. I have no objection to that course. But that does not suit me.

Mr. HEYBURN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. That does not suit the Senator from Idaho, either. It would be interesting to know the Senators who are in the mind of the Senator from Iowa when he charges them with following blindly without intelligent consideration the lead of anybody.

Mr. CUMMINS. Mr. President, that sounds to me like a motion for a bill of particulars.

Mr. HEYBURN. There are circumstances where direct charges are made, that amount to a question of the intelligent or conscientious performance of duty on the part of a Senator where a bill of particulars would seem particularly appropriate.

Mr. CUMMINS. Mr. President, the Senator from Idaho wholly misconceives what I have said if he imagines that there is in my statement a suggestion of want of fidelity upon the part of any Senator in this Chamber. I have done the same thing many times. I believe every Senator here has followed that course many times. He has accepted the work of a committee charged with a particular investigation and voted to sustain that committee without careful, full, and minute investigation. I do not conceive that I am charging any Senator with anything unworthy when I so assert. In this particular instance, however, there are some of us, possibly on account of former association, former tendencies, former campaigns, have thought it fit to look carefully into these schedules, and therefore we have ventured to differ from the committee upon certain paragraphs.

I know that the Senator from Rhode Island, I know that every member of the Finance Committee, has no belief that these Members are differing from the committee for the purpose of striking down the principle of protection. I should like to know in what vote the suggestion of a destruction of the policy of protecting American industries is found. What roll call discloses any purpose upon the part of these differing Senators? I am very sorry to have been compelled, or felt compelled, to draw a line between these Senators. Every Senator has a right to his own opinion, and I have never yet found it necessary to impute bad faith. I have never yet found it necessary to impute disloyalty to any of my associates here or elsewhere. I fight when I fight against a system, and not against men. It is no pleasure for me to disparage men. It is no joy for me to impugn motives. I know something about the organization of the world and of our country, and I know something about the forces of business. I know something about the tendencies, I know something about the environments, and I give full force to these things as they gradually mold and shape and color both individual and public opinion.

Therefore, so far as I am concerned, I intend to go right forward voting upon these paragraphs and upon every other question that arises upon the bill, just exactly as I think right. And I am going to assume that every other Senator is voting just as he thinks right, whether upon that side of the Chamber or upon this. I sincerely trust that in the days to come there



may not arise, either from one side of this line which apparently divides the Republicans here, or the other, the suggestion that there is disloyalty to the party, or the suggestion that we are endeavoring to break down and strike down the rights of American workingmen, or the suggestion that we would not rather use and wear and consume things made in our own country than those imported from across the sea. But let us work out this difference of opinion fairly, commonly, and impartially if possible.

In that spirit I now come to paragraph 321, and I want to reply for a little while, in a very few minutes, to the argument of the Senator from Massachusetts [Mr. Lodge] with respect to mercerization. The amendment upon which you are about to vote imposes a cumulative duty of 1 cent a square yard upon cloth that has been subjected to the process of mercerization.

Mr. HEYBURN. Mr. President—

The PRESIDENT pro tempore. Will the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. Certainly.

Mr. HEYBURN. Before the Senator from Iowa leaves the consideration of the principle he had under consideration, I feel impelled to make a suggestion or two in his time.

It can not be possible that any part of this body or of the American people have lost confidence in the power of our Government to deal effectively with any evil that may have arisen. It can not be possible that in order to punish any people belonging to us or to settle any condition that has arisen we must call in mercenary assistance. It can not be possible that a condition has arisen in our business world at home that we can not manage.

For instance, the suggestion of the Senator from Iowa and other Senators that a condition of business, which is denominated the trust, has arisen and gained such a hold upon us that we can not manage it, and therefore we must go outside and call in the nations of the earth to overcome competition; for economic conditions here ought to be absolutely under the control of our own people. If trusts or unholy combinations have arisen, the laws of this country and the American people ought to be able to deal with them.

It seems too much like an admission of inability to say that we can not deal with you and we will go abroad and get the mercenaries of trade from other countries to come in here and settle this question of competition, because the law of competition is involved just as much in the tariff regulations of foreign goods as it is between our own people. That is the way this whole tariff question appears to me. It is a question, it appears to me, whether we settle the question among ourselves or whether you shall go outside and import some business virus with which we shall inoculate the American people and thus heal this imaginary or real disease, whichever it may be.

It does not appear to me, Mr. President, that we are justified in thus estimating the capacity of the American people to govern themselves. That is the reason why I vote for the bill reported by the committee. I do not support it with that warmth and zeal that I would had they maintained the duties that had heretofore existed and that stand between the competition of the American people and other nations.

That is the kind of a protectionist I am. Upon articles that we can not produce and articles that the people only use at their own convenience or choice I would impose a duty that would make a revenue that would meet the requirements of this country. Upon anything that the American people either do produce or can be taught to produce I would see to it that they had competition to themselves. There are 95,000,000 consumers, and pretty nearly that many producers, in this country. I would give them an opportunity in the field of competition at home to manufacture and sell and consume among themselves, and if any stranger wanted to come in with his wares, I would say, "There is a charge of so much admission before you can come in to do business with the American people." They are great enough and strong enough and have resources enough to constitute a world were every other country swept into oblivion. That is the kind of a protective tariff I am for.

Mr. CUMMINS. Mr. President, the Senator from Idaho is a formidable and an accurate sharpshooter, but he did not shoot at me. I suppose his victim will be found somewhere, suffering from the wound that he has inflicted, but he misunderstood me if his shot was intended to meet my argument.

I agree, Mr. President, that the duty upon all competitive articles should be high enough to enable our own producers to supply our market. I agree to that. That does not destroy competition, because there may be, and there ought to be, competition among the American producers. But if you make the duty higher than necessary to enable our producers to supply

our own market, paying American wages and giving American capital a fair reward, then if the combination or monopoly which I know the Senator from Idaho thinks is imaginary, but which I know to be real, comes into existence, it is able to lift the American price above the American level without inviting competition from anywhere in the world.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. I do.

Mr. HEYBURN. I merely rose to correct any impression which may lie in the mind of the Senator from Iowa that I believe there is no such thing as a monopoly, because we have antimonopoly legislation, and if we enforce it, it will doubtless be effective to control monopolies. I would have no competition in a foreign country, because I would only deal with them in relation to those things which we can not produce ourselves.

Mr. CUMMINS. I would have no competition with a foreign country—that is, assuming we are dealing in competitive products—unless our home producers lift up the price, as they have been doing and as they are doing now, above a fair American level.

Mr. HEYBURN. May I ask the Senator if that is the point at which he would call in the foreign mercenaries to regulate our home affairs?

Mr. CUMMINS. I hardly know what the Senator from Idaho means with regard to "mercenaries." I remember that in the war of the Revolution there were certain Hessian troops who were called "mercenaries." I suppose in a general way that means troops that fight not for patriotism, but for pay. If that be true, then all the troops of commerce are mercenary, and they are fighting here for pay as vigorously and valiantly as I ever saw troops fight anywhere.

Mr. HEYBURN. I should like to have the understanding of the Senator from Iowa a little clearer as to mercenaries. A mercenary is a man who takes the part of somebody else for a consideration, and when a foreign country comes into our market for a consideration to settle the question of competition among our own people, it is a mercenary.

Mr. CUMMINS. I do not think there is a difference of opinion between the Senator from Idaho and myself. I may differ a little from him in just one respect; and in that his opinion seems to be shared by a great many others here. He treats the American market as though it were the birthright of the American producer.

Mr. HEYBURN. That is right.

Mr. CUMMINS. He does not contemplate that there ever will be a purchaser in the American market who has any right whatsoever. I believe in a market that is made up of producers and sellers and purchasers and consumers. I say that the consumer has some rights in that market just as sacred as have the producer and the seller. I would fill the market with American-made goods if I could, but I would not fill it with American-made goods if to do so involved the infliction upon the consumer or the user of an extortionate price for the things they are compelled to buy.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Rhode Island?

Mr. CUMMINS. I do.

Mr. ALDRICH. I dislike to use the word "vocation," because it is—

Mr. CUMMINS. I do not object to it.

Mr. ALDRICH. What would be the vocation of this particular consumer which the Senator from Iowa has in mind?

Mr. CUMMINS. I will tell you the vocation of the consumer. Mr. President, I am a consumer of cotton goods, and there are 95,000,000 other consumers.

Mr. ALDRICH rose.

Mr. CUMMINS. Now, wait just a minute. I know very well the distinction the Senator has in his mind and upon his lips. He is going to say that these other 95,000,000 outside of the cotton producers and cotton laborers produce something else.

That is true; they do produce something else; and so far as this particular thing is concerned, these mills in New Bedford, in Fall River, in the South, and scattered over New England and Pennsylvania are the producers, and the other 95,000,000 of people are, so far as this product is concerned, the consumers. They have a right to take the product of these mills at a fair and a reasonable price, all things considered. I want the New England mills to make these goods; I want the southern mills to make these goods, and the western mills, if there be any. The ideal condition with me as an American would be to buy nothing, to eat nothing, to use nothing that is not made

within the limits of the Republic, if I could buy those things and eat those things and use those things without contributing unduly to the avarice and greed and extortion of some manufacturer or producer.

Now, I yield to the Senator from Rhode Island.

Mr. ALDRICH. Mr. President, I ask the Senator from Iowa what would be the vocation of this ideal consumer that he had in his mind?

Mr. CUMMINS. I answered—

Mr. ALDRICH. Wait a minute. The Senator designated himself. Well, of course, he is a consumer, and so am I; but if the United States depended upon consumers like him and me, who do not produce anything except speeches, perhaps, for the edification of our fellow-citizens, we should soon be in a bad condition.

Mr. CUMMINS. I wonder, Mr. President, if the Finance Committee has it in view to put an ad valorem duty on speeches.

Mr. ALDRICH. I think it ought to be a specific duty.

Mr. CUMMINS. I think, Mr. President, that, in order to affect the business at all, it would have to be specific.

Mr. GALLINGER. And very high.

Mr. CUMMINS. And very high.

But now I return to the question of the Senator from Rhode Island, which is a very interesting one, and which involves one of those little fallacies which creep into nearly every political debate, namely, that this country can not be divided into consumers and producers. They can not if the whole vocation or business of the world is considered; but the producer of the particular article stands over against the consumer of that article, and the relations between those two must be properly adjusted. It seems to me, if it were otherwise, we are spending a very large amount of talk in vain. If I am not right in this contention, why not just pass a general law that there shall be a duty of \$100 a pound on everything that can be weighed, and \$100 a yard on everything that can be measured, and go home? That would certainly protect our markets sufficiently. The fact that you do not do that, the fact that there is not a Senator here who would advocate so extraordinary and so foolish a proposition, is the conclusive proof that there is a point at which the duty ought to rest; and that point is the point announced and so well defined in the Chicago platform; namely, the difference between the cost of production here and abroad, with a fair profit added to the American producer.

I again recur to the paragraph under consideration, to the duty of 1 cent per square yard to be placed as a cumulative duty on mercerized cotton cloth. From now on, Mr. President, I want, if I can get it, as I am now receiving it, the attention of the Senator from Massachusetts [Mr. LODGE]. He stated, and I rather think he stated properly, that a cent a yard was a very high protective duty upon the process of mercerization. I do not know whether it is or not; but I want to take him on his own ground. He believes in a specific duty of a cent a yard, instead of the old ad valorem duty provided for in the Dingley law. I, too, favor specific duties whenever they can be imposed without too conspicuous inequality; but I want to ask the Senator from Massachusetts if he believes not only in imposing one specific duty upon a mercerized yard of cotton cloth, but two specific duties, because this bill which is now before the Senate, and this paragraph which we are now considering, imposes two specific duties upon mercerized cotton cloth.

I have not got his samples here, but you will remember that he presented one beautiful specimen of cloth, concerning which he stated that it cost 12½ cents a yard to prepare it for mercerization and to put it through the process of mercerization. Am I right about that?

Mr. LODGE nodded in the affirmative.

Mr. CUMMINS. Well, I want to ask the Senator from Massachusetts to take a piece of cloth like that to be presented at our custom-house for admission to our shores, and I ask under what paragraph would that particular piece of cloth be assessed?

Mr. LODGE. I understand the Senator to mean cloth prepared for mercerization.

Mr. CUMMINS. The high-priced cotton cloth prepared for mercerization and mercerized.

Mr. LODGE. It would come in under one of the countable clauses, with the additional duty of 3.21 which is put on all fancy articles to which mercerization has been added.

Mr. CUMMINS. Precisely. That is exactly the answer which I would have expected from a candid student of the subject. The particular cloth that I can now see in my mind's eye, because it was so beautiful, would probably be worth 30 cents a yard or 40 cents a yard or somewhere along there. It would come in under one of the countable paragraphs, because it would be worth 12½ cents a yard more if prepared for mercerization and mercerized. It would pay under that countable paragraph more than 40 per cent of the 12½ cents which had been expended

upon it for preparation and for mercerization, and if it were under the 40 per cent paragraph, possibly 35 per cent, possibly 45. But all I want the Senate to understand is that that piece of cloth had already paid one specific duty, because its value had been advanced by preparation for mercerization and by mercerization, and a very high specific duty, a duty that I can not now show the precise amount of, because it would require me to find the paragraph under which it would be admitted. I venture, however, the assertion that that particular cloth would come in under a high specific duty, 20 per cent higher than was allotted to it by the Dingley law. Still it would have to await the imposition of 1 cent per yard for the exact process of mercerization.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. CUMMINS. I do.

Mr. LODGE. I agree to the first statement which the Senator has made, but not to his last statement. When these mercerized or colored cloths come in, the duty that they get under the preceding paragraphs, the countable paragraphs, is the duty on white cotton. They do not get any additional duty if they form a figure or fancy effect. These are cumulative duties, put on in order to meet the additional expenditure on the cloth.

Mr. CUMMINS. Precisely. Mr. President, I know the Senator from Massachusetts is absolutely sincere about that, but that is just the fault that has obscured the path to a right conclusion of this matter from the beginning. I know that the Senator is not right with respect to that; I know that he thinks he is; and it will be for the Senate to determine. Now, take a piece of cloth, mercerized, that has not a figure on it, that has not a single fig leaf, if you please, to conceal its nakedness.

Mr. LODGE. You mean fully mercerized?

Mr. CUMMINS. Fully mercerized cloth.

Mr. LODGE. Those are the most expensive.

Mr. CUMMINS. Precisely; and they bear the highest specific duty. They bear a duty graduated according to the value of the cloth, and the value of the cloth is determined by what has been expended upon it to prepare it for mercerization and for mercerizing it. It is idle to contend in this presence that this cloth, to which the Senator from Massachusetts has referred, has not borne one specific duty that was regarded as ample and adequate to protect our markets against the intrusion of similar cloth from abroad. Notwithstanding that, you add, as it seems to me, unnecessarily and contrary to the highest dictates of patriotism and political sagacity, as well as of truth and justice, another cent per yard because it has been mercerized.

Take the very cloth that is open here [exhibiting]. I do not know how much it is worth per yard, but it is worth a good deal per yard. If that cloth were presented to our custom-house, and if it cost 40 cents a yard to mercerize it or to prepare it for mercerization, it would pay either 45 or 50 per cent—I have forgotten which—or more under a specific duty because that value had been added to it. Now you put upon it this additional duty of 1 cent as a specific burden. Senators, that 1 cent, although it may never be felt by a woman who wears a mercerized dress or a man who wears a mercerized shirt, will be a great burden when you enter the next political campaign.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Iowa [Mr. DOLLIVER], which the Secretary will state.

The SECRETARY. On page 111, line 3, after the word "yard," it is proposed to strike out the semicolon and the remainder of the paragraph, as follows, "on all cotton cloth mercerized or subjected to any similar process, 1 cent per square yard."

Mr. DOLLIVER. Mr. President, on that amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DU PONT (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH] and therefore withhold my vote. If he were present, I should vote "nay."

Mr. NIXON (when his name was called). I am paired with the junior Senator from Alabama [Mr. BANKHEAD]. If he were here, I would vote "nay."

Mr. SMITH of Maryland (when Mr. RAYNER's name was called). My colleague, the senior Senator from Maryland [Mr. RAYNER], is absent unavoidably. He is paired with the Senator from Oregon [Mr. BOURNE]. If my colleague were present, he would vote "yea."

Mr. SUTHERLAND (when his name was called). I am paired with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "nay."



The roll call was concluded.

Mr. DILLINGHAM (after having voted in the negative). Owing to the absence of the senior Senator from South Carolina [Mr. TILLMAN], with whom I have a general pair, I withdraw my vote.

Mr. OLIVER. I inquire if the Senator from Connecticut [Mr. BULKELEY] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. OLIVER. I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]; but I transfer that pair to the senior Senator from Connecticut Mr. [BULKELEY], and vote. I vote "nay."

The result was announced—yeas 32, nays 38, as follows:

## YEAS—32.

Bacon	Culberson	Johnston, Ala.	Overman
Bailey	Cummins	Jones	Owen
Beveridge	Dolliver	La Follette	Paynter
Bristow	Fletcher	McLaurin	Shively
Brown	Frazier	Martin	Simmons
Burkett	Gamble	Money	Smith, Md.
Clapp	Gore	Nelson	Stone
Clay	Hughes	Newlands	Taliaferro

## NAYS—38.

Aldrich	Cullom	Johnson, N. Dak.	Root
Bradley	Curtis	Kean	Scott
Brandeggee	Depeew	Lodge	Smith, Mich.
Briggs	Dixon	McCumber	Smoot
Burnham	Elkins	McEnery	Stephenson
Burrows	Flint	Oliver	Warner
Burton	Gallinger	Page	Warren
Carter	Guggenheim	Penrose	Wetmore
Clark, Wyo.	Hale	Perkins	
Crane	Heyburn	Piles	

## NOT VOTING—21.

Bankhead	Crawford	Foster	Sutherland
Borah	Daniel	Frye	Taylor
Bourne	Davis	Nixon	Tillman
Bulkeley	Dick	Rayner	
Chamberlain	Dillingham	Richardson	
Clarke, Ark.	du Pont	Smith, S. C.	

So Mr. DOLLIVER's amendment was rejected.

The PRESIDENT pro tempore. The question is on the paragraph as amended.

The paragraph as amended was agreed to.

Mr. DOLLIVER. Mr. President, in paragraph 322 I desire to submit the following amendment: In line 11 to place a period after the words "ad valorem" and strike out the remainder of the paragraph.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 111, paragraph 322, in line 11, after the words "ad valorem," it is proposed to strike out the colon, insert a period, and strike out the remainder of the paragraph, as follows:

*Provided*, That any of the foregoing having india rubber as a component material shall pay a duty of 15 cents per pound in addition to the duty herein imposed, irrespective of the relative value of the india rubber.

Mr. DOLLIVER. Mr. President, I should like to state very briefly what the effect of that proviso is. The paragraph specifies—

Clothing, ready-made, and articles of wearing apparel of every description, composed of cotton or other vegetable fiber, or of which cotton or other vegetable fiber is the component material of chief value, made up or manufactured, wholly or in part—

And so forth.

The proviso carries into the cotton schedule, at 15 cents a pound and 50 per cent ad valorem, an astonishingly large list of clothing and wearing apparel which ought, in my judgment, to be included in the paragraph providing for manufactures of rubber, or of which rubber is the material of chief value, at 30 per cent ad valorem, as the present law provides, or 35 per cent, as the Senate bill provides.

Mr. ALDRICH. Mr. President, I have no objection to the amendment of the Senator from Iowa.

Mr. DOLLIVER. I was just going to suggest that in view of the fact that it carries gum coats, as well as gum boots and gum shoes, cotton-lined, into a wrong classification, I intended to appeal to the Senator from Rhode Island to strike it out, as the new percentage would amount to 75 per cent, as I calculate it, and more in many cases. Let this paragraph go into conference, and let very careful investigation be given to see if it is not possible to separate these rubber goods from cotton and woolen goods. This is one of the gravest abuses in the tariff law.

Mr. ALDRICH. I am willing to adopt the suggestion, Mr. President.

Mr. DOLLIVER. I desire to say further that this is an error in the Dingley law, which is preserved in an aggravated form in the House bill, and I felt no doubt that it found its

way into this schedule because the committee in the hurry of controverted matters overlooked that which, I think, is a bad classification of merchandise.

Mr. STONE. Mr. President, a little while ago, when a somewhat interesting debate was on between Senators on the other side and compliments were being exchanged, I sought three times to get the floor, but was not successful. Other Senators addressed the Chair at the same time and, in the exercise of that high privilege that belongs to the Chair, in each instance some other Senator was recognized. I sought when the Senator from Michigan [Mr. SMITH] was delivering his florid oration on the dikes of Holland, to ask him a question, but he declined to yield. In the course of that oration, "still harping on my daughter," he referred to the soup houses and the millions of idle men who were tramping the country while the Gorman-Wilson law was in force. He said that he had been elected to Congress and commissioned to aid in correcting the evils that had grown up under that law. I wanted to ask him if he was not also elected and commissioned to prevent the recurrence of such evils in future by such corrective legislation as would prevent such a recurrence. He helped to make the Dingley law to take the place of the Gorman-Wilson law, and yet under that statute, which is still in full force, we have had as many soup houses and as many, if not more, men out of employment, wandering about seeking work, as we had during the Gorman-Wilson law.

Mr. SMITH of Michigan. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. STONE. I will be more courteous than the Senator from Michigan; I will yield.

Mr. SMITH of Michigan. It is very embarrassing.

Mr. STONE. I do not wish to embarrass, but I wish to be courteous.

Mr. SMITH of Michigan. I did not mean to be discourteous to the Senator, but I was going to suggest that America did not have any monopoly of those hard times.

Mr. STONE. No; America did not have any monopoly of those hard times from 1893 to 1897, and had less monopoly of them then than we had in the recent panic. That is all I desire to call the attention of the Senator to, and to ask him to make some explanation as to why he did not enact some law to guard against a recurrence of the very evil he was sent here to correct.

Mr. SMITH of Michigan. Perhaps I was a little shorter in my response than I ought to have been. I did not intend that as a discourtesy.

Mr. STONE. If the Senator is going to make another oration on the dikes of Holland—

Mr. SMITH of Michigan. I am not; but I do not want you to make one on that subject, because you might make a great deal better one.

I was just going to suggest that while we did not have any monopoly of the hard times which existed year before last, there never was a time in the history of England, France, or Germany when times were better than they were while we had the Wilson-Gorman bill upon the statute books.

Mr. STONE. Oh, that rests in mere assertion, and it is an assertion of fact upon which I shall join issue. But I will leave that where it is on the pleading.

Mr. President, when I sought recognition two or three times, it was for another purpose than this. What I have said so far is merely in passing.

While the Senator from Rhode Island [Mr. ALDRICH] had the floor during the debate referred to, he arraigned with much severity his Republican colleagues who have not agreed with him about the rates reported in the bill now before the Senate, and charged that there was a combination between those Republicans, called "progressives" or "insurgents," and Senators upon this side of the Chamber. The Senator from Indiana suggests from his seat in an undertone "sometimes." I understood the Senator to be charging that there was a distinct combination between the "progressives" upon the one hand and Democratic Senators upon the other, and charged that they were voting in unison.

In answer to that, from my seat and without rising, I said "not always; sometimes some have voted as you did;" or words to that effect. I did not expect or intend that this suggestion, made from my seat, should go into the Record, although I had no objection to having it in the Record.

But the Senator from Rhode Island, and a little later the Senator from Indiana, saw proper to refer to what I said in a way that puts it into the Record. And now, I want to say just what I meant by the remark.

Mr. President, as a rule, with only two or three exceptions, Democratic Senators have voted together. There has been

scarcely an appreciable defection on this side in our voting. I did not like what the Senator from Rhode Island was saying about a combination, because I did not think it was founded in fact. I know there is no collusion, understanding, or combination of any kind between Senators upon that side who have been opposing the exorbitant rates proposed in this bill and Senators upon this side. It is true that one Senator upon this side has voted uniformly with the chairman of the Finance Committee in all these schedules. I refer to the senior Senator from Louisiana [Mr. McENERY], and on this floor that Senator within the last few days made a speech in which he declares himself to be a pronounced protectionist all along the line.

Mr. President, I have not myself always voted with the so-called "progressives." We have had votes here, as every Senator knows, when some Senators upon this side have voted with the progressives and there have been other votes where they have been opposed, as the RECORD shows. Sometimes it has happened that the so-called "progressives" have voted with the Committee on Finance, and Democratic Senators have recorded themselves solidly—or practically so—on the other side. So when the Senator from Rhode Island declared that there was some sort of combination between the so-called "progressive" element of the Republicans and Democratic Senators, I made the remark I did in the way of contradiction. I was not seeking to impeach or criticize or censure what Democrats upon this side may have done, whatever I may have thought about it, but I did not think the facts warranted the declaration made by the Senator from Rhode Island. That is all I care to say in explanation of that remark.

But while I am on my feet and before I leave the floor I think it an opportune time to say that, so far as I am concerned, whatever other Senators on either side may think about it, I believe that the solemn declarations of a party convention, assembled with delegates from every State in the Union—intelligent and representative men, met to declare the principles and public policy of a great party—should have some binding force on party men.

Platforms are made by representative men sent from every State in the Union, and they meet in one great national convocation. I have attended several of these party conventions. I have been upon platform committees. I have never known, in my experience, a platform that did not have in it some things I thought it would have been better to have left out, and other things left out which I thought should have been put in. But when, by a consensus of the judgment and opinion of all the delegates, a platform is agreed upon and promulgated, it has a binding force upon me as a party man.

In like manner, when a Republican national convention assembles and promulgates a platform of policies and purposes, it ought to have some binding force upon Senators of that faith; at least upon all who care for party discipline and party obligation. If this be not true, then party organization is a myth. It amounts to nothing if Senators or Members of the House of Representatives upon either side of the Chamber can come here and say they are indifferent to the solemn avowals of a national convention, which is the supreme party tribunal, and that they will assert their own views and judgment upon questions without regard to party declarations. They have a right to do it, of course, and when they do I do not consider it within my province to arraign them. Every Senator acts on his own conscience and judgment, and is responsible to his own constituents. But I want to say for myself, and let it go into the RECORD, that I am a party man; I am a Democrat; and on current questions of party policy I look first and immediately to my party platform to see what my party stands for.

Mr. McLAURIN. Mr. President, before the debate closes I wish to call attention to one thing that has been uttered time and again by the Republican members of the Senate and has been again repeated to-day. I have nothing to do with the quarrels between the members of the Republican party in the Senate. If some of them desire to repudiate the party platform as it was understood by the American people in the last election, and revise the tariff up, and others desire to execute the will of the majority of the American people as they expressed themselves at the polls, adopting the policy laid down by the Republican platform, it is no concern of mine.

I will say, however, that while the Senator from Michigan insists upon his simile or analogy of the dikes that protect the Netherlands against the floods, thereby proclaiming himself by implication in favor of an entirely prohibitive tariff—because it can mean nothing else—if he will recall the history of that country, he will remember that there came a time when the people of that country cut the dikes and let the floods in, in order that they might be protected.

So, now, if the Senator from Michigan and those who uphold him are correct in the doctrine that there shall be no trade between this country and any other country, that the tariff shall be so high as entirely to prohibit importations to this country and thereby prohibit commercial relations between this country and any other country, there may come a time, as it is supposed by the American people that there has come a time, when the enemy to this country—extortion—will need the letting in of the floods of importation in order to destroy that enemy, as in the time of cutting the dikes the floods were turned into the Netherlands in order to destroy the enemies to that country.

But, Mr. President, it has been asserted time and again that the trouble which came in 1893 and 1894 was because of the Wilson tariff bill. For more than a third of a century no tariff law had been enacted by the Democratic party. No tariff law had been enacted where any material number of the Democratic party had had any efficient participation in its enactment.

Yet there came the panic of 1873 and there came the panic of 1893, the latter of these panics when the McKinley Act was in full force, a bill that had permitted every man who wanted protection, or at least wanted an opportunity for extortion under the name and guise of protection, to come in and take just exactly what he wanted, as he is permitted now. So the panic of 1893, which destroyed business in the country at that time, which caused tramps to flock all over this country and to come in armies—the Coxey army—to the city of Washington for the purpose of righting themselves, occurred under the highest protective tariff probably that there had been up to that time, and was not caused by any tariff legislation of the Democratic party. I hope this assertion, which has been made time and again against the Democratic party, will always be answered by some Democratic Senator or Representative in the Congress of the United States.

The panic of 1893 threw its shadow through the next four years, and it took four years to recover from the panic that had been produced under the McKinley tariff act. I do not know whether the McKinley tariff act was the cause of the panic or not, but if any tariff legislation produced a panic and produced the trouble that existed in 1893, 1894, 1895, and 1896 it was the tariff act of 1890, known as the "McKinley Act."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

The amendment was agreed to.

The PRESIDENT pro tempore. Without objection, the paragraph as amended is agreed to.

Mr. BACON. Mr. President, I simply desire to say that in the interest of the expedition of business we will not ask that these paragraphs be put to a vote, but in consenting to that form of announcement we do not wish to be understood as agreeing to the paragraphs. With that statement I am perfectly willing that the Chair shall continue to make the announcement in the way it has been made.

The PRESIDENT pro tempore. The Chair would hold it open if any objection was made, even subsequent to the announcement.

Mr. BACON. The Chair did not understand me correctly. I said that in the interest of the expedition of business we would not object to the announcement being thus made by the Chair—that there was no objection—but we did not desire that, by that form of announcement, it should be considered that we did in fact have no objection.

Mr. ALDRICH. In paragraph 323 the committee have an amendment. I offer an amendment, to insert the words "except flax" after the word "fiber," in line 19, on page 111.

The SECRETARY. In paragraph 323, line 19, after the word "fiber" and the comma, insert the words "except flax" and a comma.

Mr. MONEY. It was impossible for me to hear what the Senator from Rhode Island said. There is so little order in the Senate that it is almost impossible, at least for me, to know what is going on. I am not trying very hard to understand it all, but I would like to get some. I ask the Senator if he will not repeat what he said.

Mr. ALDRICH. I said the amendment which I send to the desk provides for inserting the words "except flax" in the provision in regard to pile fabrics. It is provided for in another paragraph in Schedule J.

Mr. DOLLIVER. I desire to offer an observation in regard to paragraph 323, which relates to plushes, velvets, velveteens, corduroys, and all pile fabrics, and so forth. I observe the committee has left the House rates undisturbed, and that the House left the Dingley rates undisturbed, and I desire to submit an inquiry whether it would not be a wise thing somewhat to re-



duce that inclusive duty contained in the last proviso of the paragraph:

That none of the articles or fabrics provided for in this paragraph shall pay a less rate of duty than 47½ per cent ad valorem.

That seems to have been calculated to a very great nicety in 1897, but I can not find any reason for maintaining a higher ad valorem duty on those goods in the present state of the manufacture, which is now very highly advanced, than is provided for the highest classes of manufactured cotton cloths.

Mr. ALDRICH. It is much more expensive to make these plushes, velvets, velveteens, and so forth, than the ordinary cotton cloths. They have always had a higher rate in all the tariff bills, and the rate is only 2½ per cent higher than that on the ordinary common cloth. I think the rates can not be reduced without affecting seriously the manufacture in this country.

Mr. DOLLIVER. But the highest rate provided for the highest style of cotton cloth, cloths exceeding 300 threads to the square inch, is limited by a minimum of 40 per cent ad valorem, while twelve years ago the manufacture of many of these cloths, plushes, and so forth, was a comparatively new industry. The price of these cloths has not been in excess of the price of highly wrought cotton cloths. For instance, corduroy is a very common article of clothing, and, I think, not so expensive as the high grades of cotton cloths. The manufacture is very well advanced in this country, and I would be very much pleased if the twelve years of progress in the art of weaving this cloth under ample protection could be followed by a slight reduction of the Dingley schedules, although I do not propose to offer an amendment to that effect.

Mr. ALDRICH. I will say to the Senator from Iowa if I did not feel that the rates suggested are necessary for protection I would not resist his suggestion. I am perfectly sure, because I am quite as familiar with this industry as any article of the cotton schedule, that these rates are not high. They are articles of luxury. Some of these velvets are high priced and I should be very sorry to see any reduction of the rates.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Finance.

The amendment was agreed to.

Mr. OWEN. Mr. President, before the paragraph is disposed of, it seems to me that this is an opportune time in which to request the chairman of the Committee on Finance to explain "the difference in the cost of the production of these articles in this country and abroad." I have waited in vain for an explanation on paragraph 316, which was kindly promised by the chairman of the Committee on Finance. I hope it will not be regarded as intrusive if I should suggest that the platform of the Republican party pledged the leaders in the Senate to write this paragraph among others in the light of "the difference in the cost of production in this country and abroad."

Cotton goods as a general rule do not exceed in labor cost, counting the labor as compared with the gross value, approximately 30 per cent for the entire amount of labor. Indeed, the textile schedule, as shown by our census, does not exceed 19.5 per cent of the value of the product for the labor cost. But here the difference between the cost of production in this country and abroad is put at 47½ per cent. I should like to inquire of the Senator from Rhode Island what is the difference by percentage in the cost of the production of these articles in the United States and abroad.

Mr. ALDRICH. Does the Senator wish an answer to his question?

Mr. OWEN. I have addressed an inquiry to the most learned expert on the question of the difference in the cost of production in this country and abroad that can be found on the floor of the Senate, and wish a plain answer.

Mr. ALDRICH. Mr. President, I appreciate fully the recurring and I was almost going to say spasmodic thirst for knowledge of the Senator from Oklahoma. It is shared more or less by other Senators sitting upon the other side of the Chamber. I have no doubt that if we had a combination in this respect in which this thirst could be pooled it would be extremely valuable and it would answer in the new State of Oklahoma.

But the Senator from Oklahoma could not have listened to my speech the other night, to be serious about this matter, because I explained the difference between the cost of production here and in competing countries abroad upon these articles in the cotton schedule. That speech I have not had a chance to read yet, but it will be published in to-morrow morning's Record, and I will suggest that the Senator should devote his spare time to a perusal of it.

Mr. OWEN. Mr. President, I shall defer this matter with great pleasure until to-morrow morning, but I wish to advise

the Senator if his printed remarks are no more satisfactory than his explanation of paragraph 316, which took place after the passage of that paragraph, and in such an indiscernible and invisible manner that it never reached my ears nor appeared in the Record, that I shall again make the inquiry of the Senator from Rhode Island as to the difference in the cost of production.

If it would not greatly inconvenience the Senator at this time, I should like to know the percentage of labor cost in these articles in the United States.

Mr. ALDRICH. I stated in a general way that the cost of labor in the United States was about twice what it is in competing countries, that is, about 50 per cent difference. The difference in this paragraph is 47½ per cent.

Mr. OWEN. Mr. President, in determining any mathematical equation where x is the unknown quantity, to double the value of x is not very elucidating.

Mr. LODGE rose.

Mr. OWEN. I should like to have the Senator from Massachusetts inform me with regard to the difference of the labor cost of these articles.

Mr. LODGE. The statement read by the Senator from Rhode Island the other night gave the figures of the British Board of Trade collected in the various countries of Europe and in the United States. I suppose the Senator from Rhode Island thought that the British Board of Trade would be considered a disinterested witness. Those figures represent the difference of cost very accurately. I can not repeat them from memory, but I can get the report of the board of trade and submit it here.

I know what an investigation showed made by Carroll D. Wright, who was a statistician, I think, whose reputation is unquestioned. It was made when he was chief of the bureau of labor statistics in my State. The inquiry extended over a number of years, and the result was that in 90 industries of Massachusetts and England the wages per hour were 77 per cent higher in Massachusetts than in Great Britain. He gave all the details involved, making up five volumes.

Mr. OWEN. After the side remarks of the Senator from Massachusetts I would now like an answer to my question. I have access to those statistics.

Mr. LODGE. I have given the Senator an answer. I can not make him understand it, of course.

Mr. OWEN. The Senator from Oklahoma is entirely capable of comprehending anything that will emanate in the English language from the Senator from Massachusetts. But when the Senator from Massachusetts talks about the difference in the amounts paid to the labor of Great Britain as shown by the reports referred to which are in my possession, and from which I have made a compilation, he does not answer the question as to the percentage of labor cost in the materials mentioned in this paragraph.

Mr. LODGE. I beg the Senator's pardon; I did not understand that that was his question. I thought he was asking what the difference in labor cost is.

Mr. OWEN. The question was that which I have last stated.

Mr. LODGE. Now I understand that what the Senator wants is the amount of labor cost of the material.

Mr. OWEN. The percentage of labor cost.

Mr. LODGE. The percentage of the labor cost, as distinguished from the material used, I can not, in this particular paragraph, give without an opportunity of inquiry. I can get it by inquiry. I can not answer it offhand.

Mr. OWEN. Then I move that this paragraph be passed over until that information be furnished.

Mr. GALLINGER. I object, Mr. President.

Mr. OWEN. I have sought in vain to obtain from any member of the Finance Committee the percentage of labor cost in any of these items. Not in a single instance has an answer been made, and I venture to say that no answer will be made while this debate is pending.

Mr. ALDRICH. I said the other night that in a fabric costing \$1 a pound—and the same rule applies to all these articles—not over 20 per cent was the cost of the material and 80 per cent was the cost of labor. Of course I would be glad to accommodate the Senator from Oklahoma, but if we wait until every Senator is satisfied about something which he may have in his mind with reference to these matters it will take a long time, especially if we get to a point where he is sure that he understands it.

Mr. OWEN. Mr. President, I call the attention of the Senator from Rhode Island to the report of Mr. Carroll D. Wright, published in Senate Document No. 20, Fifty-fifth Congress, third session, a gentleman whose ability in the matter of making such inquiries has been complimented by the Senator from Massachusetts.

190. Cloth manufactured in the United States. Cotton cloth, 38½ inches wide; picks, per inch, 64 by 64; warp yarn, No. 30; weft yarn, No. 36, 5.15 yards per pound. The cost of labor in transforming these materials is not 80 per cent, but 33 per cent, and the cost of the material not 20 per cent, but 66 per cent.

In case No. 181, four-leaf twills, 43 inches wide; picks, per inch, 68 by 68; warp yarn, average number 2805; weft yarn, average number 3778; 4.30 yards per pound. The labor cost is 35 per cent, and 64 per cent of the whole value is the cost of the material. So it goes with numerous other particular cases enumerated by him. I think, therefore, it is very much in point to know what is the percentage of labor cost in these articles, and also what is the percentage of labor cost of these or similar articles in Great Britain.

Mr. ALDRICH. Mr. President, I do not know whether the Senator is interested on account of the Chicago platform in these propositions or for some other reason. I will give the Senator from Oklahoma one answer which applies to practically every schedule and every paragraph in the bill. The total cost of production in the United States is a labor cost; practically entirely so.

Mr. OWEN. Upon what evidence is that based?

Mr. ALDRICH. Common sense.

Mr. OWEN. That is not sufficiently accurate as an answer to my question, statistically.

Mr. ALDRICH. That may not be good authority to the Senator from Oklahoma.

Mr. OWEN. It depends by whom the announcement is made.

Mr. ALDRICH. The Senator, and every Senator, must know that the cost of production of every article produced in the United States is in its last analysis a cost of the labor that goes into it. The only exception to that must be, of course, ore in the earth undisturbed and lumber in the primeval forest undisturbed. Every other element of cost is a cost of labor in one form or another. So if a piece of cotton cloth costs a dollar, it practically represents a dollar labor cost.

Now, as a general thing, wages in Great Britain are about one-half what they are in the United States, and the cost of production of an article in Great Britain is about half what it costs in the United States. I mean the total cost from one end to the other and the long line of development and manufacture.

Mr. BACON. If the Senator will pardon me—

Mr. ALDRICH. The cost in Germany is 40 per cent. I will not stop to question small refinements of difference, but in the main it is about 40 per cent what it is in the United States.

Mr. BACON. I ask the Senator a question for information, with his permission. When the Senator says all the labor cost, does the Senator mean that the capital is but the result of labor, the previous labor accumulating?

Mr. ALDRICH. Undoubtedly.

Mr. BACON. He does not, then, separate the labor immediately employed from capital?

Mr. ALDRICH. Not at all. I do not think it is fair to make a comparison of that kind. It is never fair to make comparisons of the cost at a single stage of this long process of manufacture.

Mr. BACON. I am speaking about the capital employed.

Mr. ALDRICH. You can not say, for instance, that if it costs 10 per cent to transfer yarn into the next step that the total cost is 10 per cent. That is absolutely plain, I think, to everybody.

I repeat for the benefit of the Senator from Oklahoma that the labor cost of all articles produced in the United States will be at least 90 per cent of the total, and he can figure the difference himself, whatever it may be.

Mr. OWEN. I have figured it from our own census, and I find that the statement of the Senator from Rhode Island, in its application to the point at issue, is not true, and it is not approximately true. I will state what I find with regard to the textiles, for instance. I do not wish to say anything which is discourteous; I do not mean what I say in that way, because I am not now dealing with the Senator from Rhode Island personally, but I am dealing with a public question upon which it is my duty to speak, and to speak as plainly as I understand it.

I have examined the census reports. I have taken the gross amount of the products of American manufacturers by the census of 1900, and I have taken the gross amount of wages paid. The gross amounts of those products when estimated by the wages, show that the total amount paid to labor out of some \$13,000,149,159 in value in products (Ab. Census 1900, Table 156) of manufactures is \$2,320,938,168, and the general average of actual labor cost is 17.8 per cent of the gross value of the product, and no more. So the percentages do not comport with the view of the Senator from Rhode Island that 90 per cent

of the product is the wages of labor. While it is true that a large part of the gross value of the products, to wit, \$7,343,627,875, are materials and enter into the calculation, and while it is relatively true that those materials are also originally sprung from the hand of labor, and a large part of them may be classed in this confused way as the result of labor, still as far as these manufacturers are concerned that material, which is raw material for the factory, must be considered as material alone, and the labor cost of putting those materials so manufactured into their merchantable form does not exceed 17.8 per cent, and in the group of textile industries only 19.5 per cent, the gross product being \$1,637,484,484 and the total wages \$341,734,399. I call attention to this fact, because I think it is very important.

Mr. ALDRICH. The Senator from Oklahoma is new, reasonably new, anyhow—

Mr. OWEN. Very new, Mr. President.

Mr. ALDRICH. In these tariff discussions. It is a matter that has been gone over a thousand times, I take it. I suggest to the Senator that if he takes this proposition over night and will study it, he will find that the cost of production in the United States of any article that he may choose is 90 per cent of it at least labor, and he will find if he reads the statistics and digests them carefully that the cost of that labor in the United States is vastly in excess of what it is in any other country.

Now, he can figure for himself, he being a bright mathematician, what the various problems are with reference to any particular item, and there can be no other answer given to the Senator from Oklahoma. He may have a judgment about it which is entirely different from mine, but that is a matter of theory, and I presume, if I should take the next six weeks in discussing it with him, he probably would not agree to my judgment in regard to it.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New Hampshire?

Mr. OWEN. I will in just one moment. If the Senator from Rhode Island would show me the authority upon which the difference in the cost of production is based in these paragraphs, and if the rates proposed really represented the difference in the cost of production at home and abroad, I should agree with him and vote for the schedule. But I can demonstrate the contrary and have done so in the Carroll D. Wright report in 446 instances, as well as by the census table 156 (Ab. Cen., 1900).

Mr. BACON. Will the Senator permit me to ask the Senator from Rhode Island a question?

Mr. OWEN. I will yield for a moment to the Senator from New Hampshire.

Mr. GALLINGER. Just a moment. I will ask the Senator from Oklahoma if he thinks the rates named in the bill are too high?

Mr. OWEN. I do.

Mr. GALLINGER. If they are lowered, it will increase the importations, will it not?

Mr. OWEN. I should think so, Mr. President.

Mr. GALLINGER. Now, Mr. President, we imported between three and four million yards of the articles in this paragraph last year at a cost of between one and two million dollars. Does the Senator from Oklahoma want to import some millions more of those goods and deny the privilege to the American manufacturer and the American workingman to produce them in this country?

Mr. OWEN. No; Mr. President, I do not feel willing to deny the American manufacturer any just provision which would put him upon a perfect equality with other manufacturers of the world.

Mr. GALLINGER. Yes; but if the Senator will permit me, we imported between three and four million yards. If we reduce the rates we will, perhaps, import as much more, possibly even a larger amount than that; and that, of course, will displace to that extent employment to American workingmen and the opportunity of American manufacturers to do business in this country. Now, if the Senator wants to accomplish that result, of course these duties ought to be reduced.

Mr. OWEN. In response to the Senator from New Hampshire, I will say that the importations of the goods to which he has referred is due to the fact that they fill a matter of want and a matter of taste of the American consumer, and therefore are brought into this country. I believe that the goods which are produced in America will find an equal foreign field, due to the same question of taste or same question of foreign desire to have that which is made in our country. I do not believe that the Americans are peculiar in that respect, but that they, like all other purchasers, follow the line of their taste in such matters. I do not believe that if we were to absolutely close



our ports to all foreign importations we would thereby benefit our own manufacturers. I believe we would do them a harm, because just as soon as they had supplied this market they would then close their factories; they would no longer need to employ labor; they would no longer have occasion for any other market than that which would be afforded here.

I do not think that is a wise policy. The United States exports and imports are less per capita than any other civilized nation in the world, and it is because of the narrow policy which excludes foreign imports and compels foreign people to avoid purchases from our country.

The only question in this matter which I am constrained to insist upon is that the pledge which was made to the American people shall be faithfully complied with, and that is why I have called attention time and time again to the percentage of labor cost in these articles, in order to elicit the fact that "the difference in cost of production at home and abroad" is not the basis upon which these schedules are being written. It can not be emphasized too strongly before the Senate and before the people of the United States as to the pledge made to them in the past, even if it is explained on the floor here, that it was not intended to write this tariff down; the people of the United States ought to understand that the pledge made to them is not being carried out; and when I call for "the difference in the cost of production" the Senator from New Hampshire rises in his place and says that the inquiry is absurd.

Mr. GALLINGER. Oh, no; I did not say that.

Mr. OWEN. I so understood the Senator.

Mr. GALLINGER. I beg the Senator's pardon, I did not make any criticism of that at all. I simply interrogated the Senator as to whether if the rates were reduced the importations would not be increased. I find no fault with the Senator's effort to get the information that he is seeking, but I am at a loss to understand why the Senator can not get that on his own account quite as well as to demand that any other Senator shall get it for him.

Mr. OWEN. I am abundantly supplied, and I shall furnish the Senator with that information in my early convenience. What I am pointing out is not my lack of information. I am pointing out that when I call on you gentlemen who are representing the party in power to give the percentage of labor cost in these articles you make no answer, but on the contrary you indulge in general discussion and talk about the labor cost of Europe and the labor cost here, and do not come down to the real issue. That is what I am calling attention to.

I will furnish the Senate with the percentage of labor cost. I have already pointed out to the Senator from Rhode Island that the total labor cost, as shown by our own census, is 19.5 per cent of the value of the gross product in the textile industries of the United States and 17.8 per cent of the gross value of all products of all the industries. That is a fact of vital importance recorded in our census reports, and it is not to be set aside by informing me in a high-handed way that common sense will tell me that 80 per cent of any product is labor. The census is to the contrary, and the inquiry is not to be dealt with in that manner. I have a right to ask these questions, and I have a right to a frank answer showing what the percentage of labor cost is in these articles, and showing what the percentage of labor cost is abroad; and then we can calculate the difference in the percentage of labor cost in this country and abroad and thereby determine the tariff rate. Without that data you can not do it. I have a right to demand the tariff be so written as the Republican party is pledged. I do demand the requisite data, even if I receive no answer.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be reported.

The SECRETARY. Paragraph 324. "Curtains, table covers, and all articles manufactured of cotton chenille," etc.

Mr. ALDRICH. For the committee I offer an amendment which I send to the desk. The effect of this amendment is to quite largely reduce the rates of the paragraph, and make it more consistent, and make it apply surely to the articles which it was intended the paragraph as originally drawn should apply to.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In line 15, page 112, paragraph 324, after the words "chief value," strike out the remainder of the paragraph and insert:

Tapestries, and other Jacquard figured upholstery goods, weighing over 6 ounces per square yard, composed wholly or in chief value of cotton or other vegetable fiber; any of the foregoing, in the piece or otherwise, 50 per cent ad valorem.

Mr. DOLLIVER. I should be very glad to have an opportunity to look at the amendment for a moment.

Mr. BEVERIDGE. We might pass on to the next paragraph, I suggest.

Mr. ALDRICH. We might take up the next provision I think.

Mr. LA FOLLETTE. Is it the Senator's purpose to have the amendment printed and go over until to-morrow?

Mr. ALDRICH. I do not object to having it go over if it is the desire of Senators.

Mr. DOLLIVER. I should be very greatly obliged if that course is pursued.

Mr. LA FOLLETTE. I ask that that be done.

Mr. ALDRICH. We can take it up this evening possibly. It was offered by me several days ago.

Mr. LA FOLLETTE. I had not seen it.

Mr. ALDRICH. The Senator will find it already printed. I will have it taken up this evening at the evening session.

Mr. BAILEY. Mr. President, the Senator from Missouri [Mr. Stone] a few moments ago took occasion to make an inferential criticism against those of us on this side who could not see our way clear to place lumber on the free list, and delivered his opinion to the effect that a Democrat is bound by the declaration of the Democratic party in national convention. To that statement, so far as it relates to a principle, I thoroughly and cordially subscribe, but I have said on another occasion that I do not believe that a convention of delegates selected wholly without reference to these matters of legislative detail have any power to bind the judgment and the conscience of legislators with respect to them. The convention goes to the full extent of its authority when it names a candidate and adopts a platform declaring the principles of the party. That rule has been generally accepted by men of all parties, but this acceptance has found a very distinguished exception in the person of the gentleman who now criticises the Democrats and whose criticism the Senator from Missouri has echoed.

In 1892 the Democratic national convention expressly and emphatically declared without reserve or qualification in favor of a law to repeal the tax of 10 per cent on the issues of state banks, or rather, the tax of 10 per cent on institutions which paid out the notes of state banks, which was in effect exactly the same thing. At that time there sat in the House of Representatives the Hon. William J. Bryan, representing a Nebraska district, and, when the Democratic party in the House of Representatives attempted to fulfill that pledge of the national convention, he refused to be bound by it, and voted against that specific, direct, and positive pledge which the Democratic party had made to the people of the United States and on which it had won a great triumph. I have no criticism to make of him further than to repeat against him and his friends the criticisms against us in which they now indulge. You will find upon an examination of the RECORD that Mr. Bryan not only refused to be bound by that declaration, but asserted the doctrine that a congressional district had the power to bind its representative against the authority of the party in national convention assembled; and though Mr. Bryan voted and spoke against the redemption of that pledge, he has been three times nominated by the Democratic party since then for the Presidency of the United States.

More than that, Mr. President, the question of whether or not that law, which imposed a tax of 10 per cent upon the issues of state banks, should be repealed, involved, at least in the opinion of many of us who then sat in the House of Representatives, a question of principle and not of policy. Two of the distinguished judges who heard and decided that case in the Supreme Court of the United States held the law which we sought to repeal invalid upon the ground that it invaded the power of the State to organize corporations and to endow them with such faculties as, in the judgment of the legislature, might be proper.

Speaking for myself, that was the principle upon which I voted. I have never believed in bank money, whether issued by the banks created by the General Government or issued by a corporation created by a State. I have always believed that the power to issue money is a sovereign power and can not be properly delegated to individuals or to corporations; but I also believe that the States of this Union have the right and have the power under the Constitution of the United States, if they see fit, to create a corporation and authorize it to issue its promissory notes. Those notes can not be made by any law of any State a legal tender.

No man can be compelled to receive them in the transaction of his business, and if he does accept them, he accepts them simply as he would accept my note or the note of another individual or the note of a corporation. He takes them voluntarily, and at their value, under no compulsion of any law. I have

never seen the time that, as a member of the legislature of Texas, I would have voted to create a bank corporation and authorize it to issue its promissory notes; but, as a Member of Congress, feeling that the Federal Government had no just constitutional power to destroy a corporation which the State has the power to create, I voted to repeal that tax of 10 per cent. It seemed to me to involve a principle. Yet, at other gentlemen who thought otherwise I have not deemed it necessary to level my criticisms. But when I, and when the majority of Democrats are arraigned by implication because we do not choose to surrender our conscience and our judgment on a detail that was in violation of a principle of the Democratic party, I do not think anybody here or elsewhere can fairly be heard to assail us.

Mr. President, to illustrate—and I did not say it the other day because I did not care to say it—to illustrate the folly of allowing a convention to instruct legislators as to details, I only need to call attention to the fact that that platform pledged us to put logs on the free list when logs were already on the free list. Obviously they did not know what it is necessary to do, and I do not think they knew what ought to be done.

Mr. MONEY. Mr. President, I want first to indorse what has been said by the Senator from Texas [Mr. BAILEY] as to the freedom of a Senator obeying his own conscience and his own interpretation of the Constitution in matters of legislation. I happened to be a Member of the Congress to which he referred and voted as did the Senator from Texas for the reasons which he has so clearly and strongly expressed. I recollect very well that Mr. Bryan not only voted against that bill, but I remember the reasons which he gave for doing so. I am not stating this in criticism of Mr. Bryan, but to continue what has been so well said by the Senator from Texas. I recollect that in his speech Mr. Bryan stated that the platforms of parties bound only the candidates who were running upon them and did not bind any Representative in Congress. I think I am correct about that.

Mr. BAILEY. The Senator from Mississippi is exactly correct. That was his statement.

Mr. MONEY. Will the Senator from Texas please find the passage and read it in my time?

Mr. BAILEY. Yes, sir; I will. It is as follows:

It has been stated that every Democrat is in duty bound to vote for the repeal of the state-bank tax, because of the plank relating to that subject adopted by the last Democratic national convention. A platform can only bind those who run upon it.

President Cleveland is, of course, pledged to the repeal of the tax, because he accepted a nomination and an election upon the national Democratic platform of 1892. Those also are pledged to repeal whose nominating conventions indorsed the national platform, and those are perhaps bound also who ran as Democrats without expressly repudiating that part of the national platform. In my own case I was not only nominated before the adoption of the national platform by the Chicago convention, but I expressly repudiated in my canvass the plank which declared in favor of repealing the state-bank tax.

Mr. MONEY. Mr. President, that is about as I recollect it. It was not worth while on my part to call it to the attention of the Senate, but since the subject has been introduced, I want to supplement what the Senator from Texas has said.

I want to say further to the Senate that I have no criticism to make of any member on this side or on the other side of the Chamber. I shall certainly exercise the right for myself to construe the Constitution and the platform and everything else by my light, and not by the light of any other man here or elsewhere; and I freely accord to others the privilege which I shall always exercise.

I want to say further, Mr. President, that there is hardly any man here or elsewhere who does not like approbation. The sweetest plaudit that can meet the public servant is the declaration "Well done" from his own constituency; but above all is the approval of his own conscience, the maintenance of his self-respect and of his intellectual integrity. If he has these, he can defy criticism and censure from any quarter whatever. It is to be noted—and I did not intend to enter into any such discussion or to bring it before the Senate, but I will say it, now that I am up—that the criticism which has been severest upon the Democratic part of the Senate for voting a small duty of 25 cents per ton on iron ore and \$1 a thousand feet on rough lumber, and so on, came from Democratic papers that never did indorse or support the candidacy of Mr. Bryan at any time and never approved a thing in his platforms except this part of this one.

I want to say further—it is not necessary to say it, because I am committing myself probably to a position which will elicit more criticism, to which I am indifferent—but I will say that there are other things in that platform which, if embodied in a bill brought before the Senate, I would never vote for. Not only would I not vote for them, but I would not vote for them

if they had been proclaimed in every convention from the time of Thomas Jefferson to Jeff Davis, because they are not what I believe to be necessary in a platform. In my opinion, a party platform should be a plain, clear, explicit declaration of principles and great policies, and should never enter into details of legislation, and not have any arguments or illustrations. It is not necessary. The fewer holes the fewer pegs you will have to put in them of doubt, misgiving, and misconstruction.

So long as I shall be the servant of the people of Mississippi, I shall obey but one command, and that is of the legislature of my State. When that legislature sends me a message, a command which I can not obey, I will tender them my commission and let them put a man here who will do so; but until that time I declare now my absolute independence of everybody and everything. I am always glad, however, to go with those who agree with me, never conceding it to be possible at any time that I can forsake the Democratic party, for there is nowhere else on earth for me or anybody like me to go.

Mr. STONE. Mr. President, I disclaim any purpose in what I said to-day to criticise, inferentially or otherwise, anything done by any Senator here. The Senator from Texas [Mr. BAILEY] says that he denies the right of any convention by a declaration of party policy to bind the judgment or conscience of a Senator.

Mr. BAILEY. Will the Senator permit me—

The PRESIDING OFFICER (Mr. McCUMBER in the chair). Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. I do.

Mr. BAILEY. Of course the Senator desires to state me accurately.

Mr. STONE. Certainly.

Mr. BAILEY. I said to bind the conscience or judgment of a Senator upon the details of legislation, not upon the policy of the party.

Mr. STONE. Mr. President, undoubtedly, whether stated in one form or another, that is a question which addresses itself to every Senator. If a declaration should be made in a party platform that a Senator's judgment and conscience could not approve, and he should refuse to subscribe to it, I do not consider it within my province here to call him to account. I have not attempted, nor shall I now attempt, to censure or criticise what other Senators may say or do. I shall do as I think right, and I assume that others will do the same.

Mr. President, I have no commission to speak in defense of Mr. Bryan or in eulogy of him. I have the honor of being his friend, but not any more than I have the honor of being the friend of Senators upon this floor.

I agree to what the Senator from Texas said about the repeal of the state bank tax. If I had been in the House of Representatives at that time I would have acted in concert with that Senator, and for the same reasons he has given.

Mr. Bryan was not in my thought when I had the floor a little while ago. Mr. President, although I am Mr. Bryan's friend and greatly admire him, I do not think that his record as a party man—and I am going to state this deliberately—gives him license to read lectures to Democrats who on this floor or in the House of Representatives may act on their own judgment and their own consciences, even though they may not strictly observe the declarations of a party platform. He has not been overcareful in that respect himself. But sir, I am not controlled in my judgment or utterances by Mr. Bryan or by any other man, and I do not quite fancy an intimation that I am. I think, speak, and vote on my own responsibility.

Mr. President, I was on the committee that made the Denver platform last year. When the platform was in process of formulation I opposed putting into it a declaration about a mere detail of legislation.

I thought it was unwise and impolitic, and I have not changed my opinion about that; but the platform was made and promulgated by the supreme tribunal of the Democratic party, and, while I do not criticise what others may do, and had not that in mind when I was speaking this afternoon, I can not retreat now from the position I then took—that, in my opinion, the declaration of a national convention as to party policy and principle is entitled to and should receive the support of Senators and Members of the House who have been elected by that party. But what I had in mind when I was talking at that time was not the thing to which the Senator from Texas [Mr. BAILEY] or the Senator from Mississippi [Mr. MONEY] referred; but I had reference particularly to the controversy that was raging on the other side about the Chicago platform.

The Republican party had declared in its platform adopted at Chicago in favor of constructing a new tariff law on the basis of the difference in the cost of production in America and



in foreign countries. Senators on that side had been discussing that, and I thought it an opportune time to press upon them the obligation they were under to carry out not only the letter, but the spirit of that platform declaration. Senators upon the other side, numbers of them, were attempting to show, and, I think, with marked success, showing it even by the admissions of the Senator from Rhode Island [Mr. ALDRICH] himself, that there were paragraphs in this bill levying duties far beyond the difference in the cost of production here and abroad, far beyond any requirement of the Chicago platform; and I wanted to insist then, as I do now, that the Senator from Rhode Island and every Senator gathered about him was under obligation to the people of the country, who had commissioned them to come here and make this tariff law, to observe the declaration in their party platform, and to keep the pledge they had made.

Mr. ALDRICH. Will the Senator yield to me for a second?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Rhode Island?

Mr. STONE. Certainly.

Mr. ALDRICH. The rates to which I referred were the precise rates that were fixed upon cotton cloth by the Democratic Senate in 1894.

Mr. STONE. Well, Mr. President, the Senator stated, nevertheless, that there were such duties levied, and he was immediately called to account about it by the Senator from Indiana. Moreover, the Senators from Iowa and the Senator from Wisconsin [Mr. LA FOLLETTE] and others have demonstrated that the very thing I refer to is true, and this whether the Senator from Rhode Island admits it or not.

It was not my purpose to involve myself or involve anyone on this side of the Chamber in a discussion about the Democratic platform, but I wanted to say—

Mr. BAILEY. Will the Senator permit me?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Texas?

Mr. STONE. I do.

Mr. BAILEY. In order that I may excuse myself for having misunderstood the Senator from Missouri, I will say to him very frankly and to the Senate that I heard this morning that he was going to attack the majority of Democrats here for having voted against the motion to put lumber on the free list, and I supposed that it was intended so at that time. I regret that I misunderstood it, but that is the reason I did so.

Mr. STONE. I did not know, of course, what the Senator heard or from whom he heard it.

Mr. BAILEY. I guess the Senator from Missouri knows from whom I heard it.

Mr. STONE. I do not.

Mr. BAILEY. Sitting right here the Senator from Arkansas [Mr. CLARKE], the Senator from Missouri, and I talked about it, and I asked the Senator from Missouri not to do it.

Mr. STONE. That is true. The Senator from Texas said he had heard that and asked me not to do it. That the Senator did, but I asked the Senator from Texas at the moment from whom he got that information, and I have not been informed yet.

Mr. BAILEY. The Senator asked me?

Mr. STONE. I did.

Mr. BAILEY. The Senator from Arkansas [Mr. CLARKE] told me that the Senator from Missouri stated that he was going to do it, but that he would not.

Mr. STONE. Then it seems that the Senator got his information from the Senator from Arkansas that I was going to attack Senators here.

Mr. BAILEY. Mr. President, let us not have any misunderstanding. I got the information which I received from the Senator from Arkansas in the presence of the Senator from Missouri, and there were one or two other Senators that sat here and heard the whole conversation. The Senator from Missouri heard everything said by the Senator from Arkansas that I heard.

Mr. STONE. I did not hear that—

Mr. BAILEY. Well, that happened.

Mr. STONE. From the Senator from Arkansas? With all due respect to the Senator from Texas, I think he is mistaken about the Senator from Arkansas having said anything like that.

But that is wholly immaterial and unimportant. I stated that I did not know from whom the Senator had obtained his information, and I did not. If I cared to go into a private conversation, much said in a half-jocular way, that I had in my own room last night with the Senator from Arkansas—but, Mr. President, I will not do that. I made no attack upon Senators on this side. I have said nothing offensive, or intended to be offensive, to them; and that ought to be the one thing to be considered here—that is, what I did on the floor.

If I had had any purpose, which I disclaim, of attacking the Senator from Texas or any other Senator for his vote on the lumber schedule, it is sufficient to say that I did not do it. I said nothing upon the subject and, therefore, I do not think that the Senator from Texas should have dragged a private conversation before the Senate. If I had wished to attack, there would have been no doubt about my purpose.

Mr. BAILEY. The Senator from Missouri asked me where I got my information. I am not in the habit of making a statement and then having an inquiry made of where I got my information without answering, and the Senator from Missouri is the one who dragged out the private conversation.

Mr. STONE. I said, Mr. President, that I did not know where the Senator got his information. That was what I said. Now, Mr. President, I desire to say, not only to the Democratic Senators, but to Republican Senators as well, that I stand by the proposition I announced this afternoon. I believe that the declarations of a party platform are obligatory and should have some binding force on party men.

Mr. GALLINGER. I ask for the regular order, Mr. President.

The PRESIDING OFFICER. The hour of 5 o'clock and 30 minutes having arrived, in obedience to the order of the Senate, the Senate will take a recess until 8 o'clock this evening.

#### EVENING SESSION.

The Senate reassembled at 8 o'clock p. m.

#### THE TARIFF.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1438) to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes.

Mr. STONE. I make the point of no quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich	Cullom	Hale	Perkins
Beveridge	Cummins	Hughes	Piles
Brandegee	Curtis	Johnson, N. Dak.	Rayner
Briggs	Depew	Johnston, Ala.	Root
Bristow	Dick	Kean	Scott
Brown	Dillingham	Lodge	Simmons
Burnham	Dixon	McCumber	Smith, Md.
Burrows	Dolliver	Martin	Smith, Mich.
Burton	Elkins	Money	Smoot
Carter	Fletcher	Nelson	Stone
Clapp	Flint	Newlands	Sutherland
Clark, Wyo.	Foster	Oliver	Warner
Clarke, Ark.	Frye	Overman	Warren
Clay	Gallinger	Page	Wetmore
Crane	Gamble	Paynter	
Crawford	Guggenheim	Penrose	

Mr. WARNER. The Senator from Nebraska [Mr. BURKETT] is necessarily detained from the Senate.

Mr. PILES. I wish to announce that my colleague [Mr. JONES] is unavoidably detained, and can not attend the session of the Senate this evening.

The PRESIDENT pro tempore. Sixty-two Senators have answered to their names. There is a quorum present. The pending amendment is that offered by the Senator from Rhode Island for the committee.

Mr. STONE. Mr. President, when the Senate took a recess I had the floor. I resume it now to complete what I was saying. A disagreeable situation occurred just before the recess. The junior Senator from Texas [Mr. BAILEY] stated that I had declared a purpose to attack some Democratic Senators for some votes they had cast during the consideration of this bill. The RECORD will show, without going over it again, all that was said.

Mr. President, I confess that the statement made by my distinguished friend, the Senator from Texas, was annoying and somewhat embarrassing to me. I did not think that a conversation had in the cloakroom, where conversation is carried on with great freedom and abandon, should be repeated on the floor. But, under the circumstances, I now feel that I ought, in justice to myself, and in the presence of the Senator from Arkansas and the Senator from Texas, say just what there is about this whole matter.

On Friday last there came to me a gentleman who is associated with important mercantile interests in New York and he talked to me about some features of the cotton schedule. He had talked to me about that schedule before on several occasions. He said to me that if I would write to a certain firm in New York, one of the leading mercantile firms of that metropolis, and ask them certain questions, they would probably give me some interesting information.

On that day, Friday last, I addressed a letter to that firm, making some inquiries. Yesterday morning I received their answer. They sent me a number of samples of cotton goods—mercerized brocades and other things—and attached to each sample was a statement showing the cost of the article, the duty imposed under the present law, the duty that would be imposed under the Senate bill, and showing also the increase of duty under the proposed bill over the existing law. There were 14 or 15 of these samples and statements, and they were very striking. They were very interesting and very important, if true. While somewhat on the line of the things presented to the Senate by the Senator from Iowa [Mr. DOLLIVER] and the Senator from Wisconsin [Mr. LA FOLLETTE], these were especially clear-cut and distinct.

I had it in mind to rise here this morning and exhibit those samples and read the statements, and then to call a page and direct him to take them across the aisle here and deliver them to the Senator from Rhode Island [Mr. ALDRICH] and ask him to say whether the statements made were true or false, and if he declined to answer them to call upon the Senator from Utah [Mr. SMOOT] to answer. That was the purpose I had in mind.

Yesterday afternoon my friend the Senator from Arkansas [Mr. CLARKE] and I were together in my room, and I told him about this, and I went further and said—in substance, as I recall it—that it would be a good time to go a little further and ask how any Democrat could vote for such an increase in taxation, and so on. In the course of this conversation I went on further to say to my friend from Arkansas, "I do not know but that I will go a little deeper into it, and comment on some things in which you are concerned also." This talk, really not altogether serious, went on at some length. Of course, I would not attack the Senator from Arkansas, for there is no man here closer to me than he; and if I thought he was in error in his judgment about anything I would not assail him on the Senate floor, nor he me if he thought I was in error.

It seems that this morning in the cloakroom, in that free and easy sort of conversation which occurs in these cloakrooms, he made some half-jocular remark about this conversation which we had had.

To-day the Senator from Texas, while I was standing near him waiting for my name to be called on some vote, said to me, as I thought, in perfect good humor, "I understand you are going to jump onto some of us here," or something of that kind. I said, "Who told you so?" Now, he and I differ in our remembrance of that conversation, although the difference is not important. The Senator from Texas states it as his remembrance that the Senator from Arkansas said at that time that he had reported that I was going to do this awful thing. As I remember it, the Senator from Arkansas said to me, in a laughing way, while the Senator from Texas and I were having our little talk, which was entirely pleasant, "Well, you are going to let them bulldoze you," or something of that kind.

That is all there is to this great affair. I regret that a circumstance so trivial should be brought into the Senate, and that I should be compelled to detail a matter of this sort in self-justification.

Mr. CLARKE of Arkansas. Mr. President, I think this little incident has been distorted out of all relation to its real importance. I had a conversation with my distinguished friend, the Senator from Missouri, yesterday, in which he indicated that he was prepared to engage somewhat extensively in the debate on the bill now pending here, especially with reference to the cotton schedule; that he had equipped himself with the usual experts and samples, and thought he would make a display which would attract attention. And in further manifestation of the exuberance incident to the discovery he had made, and the equipment with which he had supplied himself, he said he would comment somewhat on the action of Democrats who were voting for schedules that involved increases beyond the Dingley rates. He said "when I get well started, I shall likewise include such pertinent comments upon certain votes which have been cast by Democratic Senators, not in accordance with the demands of the Denver platform." I said "when you do that you will get on my toes, in which event you will find you have accumulated an engagement somewhat greater in magnitude than the one you think you have taken in hand." [Laughter.]

When I reached the cloakroom this morning I found my worthy and distinguished friends—and they are friends—from North Carolina in a state of active perturbation about the comments being made upon their entirely commendable and wise votes against free lumber; and I said to them, "Your troubles have just begun. When the Senator from Missouri gets through with you you will have more to account for than that." It was a sore subject to them, because the comments and crit-

cisms in their State are altogether out of line with the Democracy, wisdom, and patriotism of the vote they cast against free lumber.

I heard no more of the matter until the Senator from Missouri and the Senator from Texas had a little conversation in relation to it in my presence. I felt all the time that the Senator from Missouri did not intend to make any such speech; that he had more courage at home than he would have up here, because he would find difficulties to cope with here which were not present there.

I did not suppose that any private conversation I had had in reference to the incident was being made the basis of any serious statement of fact, and I have not fixed in my mind just what I said. Nor have I fixed in my own recollection all the occasions when I made statements concerning it, and therefore I am not prepared to contradict anything that anybody says about it.

The Senator from Missouri, I assume, although I was not here this afternoon, has not unjustly attacked anybody, and I hope that this incident will not be made the occasion, in the slightest degree, to disturb the cordial and harmonious relationship which exists between Senators on both sides of the Chamber. I probably am the innocent cause of the entire controversy.

Mr. STONE. Mr. President, I wish to make one further observation before surrendering the floor. I did not make the speech I intended to make about the cotton schedule, based on these samples and calculations to which I referred, because it occurred to me that before I did so I had better get some expert to look them over and see whether I could absolutely rely upon them. And so last evening, after I parted from my friend the Senator from Arkansas, I saw an expert familiar with the law and with cotton fabrics and consulted him. He took my data under advisement and this morning he came to my offices and convinced me that there were errors in the statements; in some of them at least. So I postponed my assault on the Senators from Rhode Island and Utah.

I postponed it because I do not wish to make any statement; I would not want to read into the RECORD any statement of fact unless I was first convinced that it was absolutely accurate, and so I took precaution to discover whether the statements furnished me were accurate, and when I was told by a gentleman in every way capable of determining that question that some of the statements were not accurate, I did not and could not use them.

If the Senator from New York desires to interrupt me, I will yield.

Mr. DEPEW. Will the Senator from Missouri allow me?

Mr. BAILEY. Before the Senator does that—

Mr. DEPEW. I simply wanted to ask why in the interest of truth and enlightenment of the Senate the Senator had not sent that expert to some of our insurgent friends.

Mr. STONE. I yield to the Senator from Texas.

Mr. BAILEY. I simply want to say that I accept, and probably I ought to have accepted earlier in the day, the statement of the Senator from Missouri, that what he said and what I took exception to his saying was not intended as any criticism of those of us who voted against the motion to put lumber on the free list. I had not before supposed that it was so much of a jocular matter, and I say that if I had known it had been treated as a matter of joke I probably would never have particularly observed the concluding sentence or two of the speech which the Senator from Missouri made in the afternoon. But having heard that, and since I was here this afternoon I recalled that the first word came to me while seated here, that a Senator suggested it to me, and then the conversation as I recalled it this afternoon occurred between the Senator from Arkansas, the Senator from Missouri, and myself. I want, however, to say that when I remonstrated with the Senator from Missouri about introducing a question of that kind he did not say whether or not he intended to do it, and as to whether or not I am supposed to know when he is joking he frequently changes his visage, and even when he smiles I am not always sure that he is joking.

Mr. STONE. Mr. President, I do not joke very often.

Mr. CLARKE of Arkansas. It will not do to leave now the impression that the Senator from Missouri was not justified when he made the announcement to me I had referred to. I was teasing my friend from North Carolina and this took place at that time.

Mr. STONE. I think it is well enough to end this. It is not of sufficient importance to continue. I want, in conclusion, to say a word or two about platforms. I want it understood, so far as I am concerned, that I regard a platform promulgated by a national convention as the deliberate expression of party judgment upon the policies and principles of that party.



From this position I can not recede. If what I say be not true then a platform is an idle and meaningless thing. If that be not true then there is no need of national conventions giving utterance to party convictions. If that be not true then I can understand why the Senator from Rhode Island and his colleagues on the Finance Committee can treat the declarations of the Chicago platform with indifference.

That is all I care to say.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Rhode Island, on the part of the committee, to paragraph 324. It will be stated.

The SECRETARY. On page 112, line 15, it is proposed to strike out all after the words "chief value," and insert in lieu thereof the words:

Tapestries, and other Jacquard figured upholstery goods, weighing over 6 ounces per square yard, composed wholly or in chief value of cotton or other vegetable fiber; any of the foregoing, in the piece or otherwise, 50 per cent ad valorem.

Mr. DOLLIVER. Mr. President, I desire to say, first, that this amendment makes paragraph 324 very much more palatable than it originally was to me. I objected to it for two reasons. In the first place it made obscure the provisions of the Dingley law, because it proposed to deal not with curtains and draperies and coverings as the Dingley law did, but with articles suitable for draperies, coverings, and tapestry, and it was my judgment that such a phrase embodied in a paragraph would be very likely to provoke more litigation to wring the hearts of statesmen in the next generation or otherwise arising out of adverse decisions of the courts. I also objected to it because it was so awkwardly worded that it dragged into a paragraph that was to be devoted to curtains, draperies, and coverings so large a variety of ordinary women's dress goods as to be astonishing, to say the least.

I am very much gratified that the committee has simplified the language by confining the section to the goods which are intended to be included in it. The only objection I have to the paragraph as it is proposed to amend it is that it makes what looks to me like an unreasonable addition to the duties provided by the Dingley tariff law. I have here a very excellent specimen of this upholstery goods [exhibiting]. These goods are manufactured in the city of Philadelphia. I think they are manufactured there cheaper than they are made anywhere in the world. At any rate, the greatest merchant in the city of Washington tells me that it is his custom not to import these goods, but to import an advance sample of the patterns and coloring that are to be in vogue in Germany, France, and other countries engaged in making them, and when he gets the pattern here to send it to Philadelphia to be duplicated at a rate very much less than he could possibly import it.

I got this sample from a merchant in this city who is accustomed to handle these goods in that way. Being a Jacquard weave of upholstery cotton cloth, it is now assessed as countable cotton containing between 100 to 150 threads to the square inch at 35 per cent ad valorem. It is worth 80 cents a yard. While this amendment greatly improves the original phraseology of the paragraph, inadvertently I think it increases the duty to 50 per cent, and I hope that that will not be done.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I did not quite understand the Senator, and I rise only for information. Do I understand the Senator to say that this prominent merchant of Washington, from whom he gets his sample, tells him that under the present law he can get these very goods in America cheaper than he can get them abroad?

Mr. DOLLIVER. I made a memorandum of his statement exactly.

Mr. BEVERIDGE. That is what I understood, but I was not quite sure, and I wanted to get it clearly in my mind.

Mr. DOLLIVER. The foreign article can not be sold by the dealer, or rather importer, at less than \$1.25 a yard to the retail merchant. Its valuation at the custom-house being 80 cents a yard, it is retailed at \$1.60. The domestic article, made by a Philadelphia mill, costs the wholesale handlers 90 cents, and the consumer obtains it for \$1.25.

Mr. BEVERIDGE. Under the present tariff?

Mr. DOLLIVER. Yes. So while I would not object to a reasonable protection for these goods, I very much doubt whether they need 50 per cent. I would suggest to the committee that as small as possible a rise over the 35 per cent now provided by law would be very much more reasonable.

Mr. SMOOT. Will the Senator allow me?

Mr. DOLLIVER. Certainly.

Mr. SMOOT. I have no doubt that the sample the Senator from Iowa has shown is correct, but he must remember, and I also call the attention of the Senate to the fact, that that is one of the very cheapest kind of tapestries woven upon a Jacquard loom. It is perhaps true that it falls in the countable paragraph at 35 per cent.

Mr. DOLLIVER. That is exactly what it does.

Mr. SMOOT. But I can bring here samples that to-day, under the countable paragraph, have been worth from \$4 to \$5 a yard. This is not a fair sample of tapestry work. I believe that the Senator from Pennsylvania [Mr. PENROSE] has samples of this kind of work [exhibiting]. This is the kind of work, and a great deal of it, that the Committee on Finance is trying to take care of. This is a cotton figure showing scenery.

Mr. DOLLIVER. Will the Senator from Utah kindly state what is the origin, history, and general moral character of that cloth?

Mr. SMOOT. This is a cotton tapestry cloth that comes now under paragraph 324.

Mr. DOLLIVER. Where does it come from?

Mr. SMOOT. It is woven in Philadelphia, and it is woven on a Jacquard loom, as no other loom can produce that class of work. It takes the very highest skilled labor in the cotton industry to finish such work. We are proposing a duty of 50 per cent, and we think that is small enough for this particular class of work.

Mr. DOLLIVER. Does the Senator know what countable paragraph that cloth would fall in?

Mr. SMOOT. I will see if I can turn to it.

Mr. ALDRICH. It occurs to me that it ought not to be included in any countable paragraph. The idea of assessing a duty upon that class under the countable provisions of cotton cloth is, I think, as good a statement in favor of the amendment as could possibly be made.

Mr. SMOOT. I will state that the size is 58 by 79, and the cost \$8.70 a yard.

Mr. DOLLIVER. Then I suggest to my friend from Rhode Island it might be a good idea to separate those works of art from this tapestry, which is worth less than \$1 a yard, and put upon one of them a moderate duty, which now it seems to enjoy, and put upon the other whatever duty you please.

Mr. ALDRICH. The Senator of course knows that in the preparation of countable cloths it is impossible to refer to all the particular items of manufacture in the United States. As I stated this morning, you would have a tariff bill hundreds of pages long if you undertook to put different rates on every one of these manufactures. The rate is only 50 per cent, which is certainly not a high rate for this kind of goods.

Mr. DOLLIVER. It is true, as the Senator from Rhode Island says, that it is a little difficult where there is a large number of articles, but I flashed upon the attention of the Senate a modest little poor man's tapestry, worth 80 cents a yard, made in Philadelphia, and when I suggest that the duty on it ought not to be raised I am confronted by the statement of magnificent works of art that belong in the palaces of kings and queens, also originating in Philadelphia, worth \$8 or \$10 a yard. As the bill makes dividing lines between cotton cloths, some 12 and the next 12½ cents a yard, for the purpose of making the thing equal and fair all around, I suggest that there ought to be some scheme by which a line of demarkation could be drawn against the trappings of royalty which the Senator from Utah exhibits and the modest tapestry of the poor which I hold in my hand.

Mr. BEVERIDGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Indiana?

Mr. DOLLIVER. Certainly.

Mr. BEVERIDGE. I merely wish to ask a question, not being familiar with these various tapestries. The articles exhibited by the Senator from Iowa are more generally sold and used than the exquisite things exhibited by the Senator from Utah?

Mr. DOLLIVER. Rather, in a world like this.

Mr. BEVERIDGE. That being true, I understood the Senator from Iowa to say a moment ago that a great retail store in Washington had informed him that these that are generally used, even under 35 per cent ad valorem, could be made cheaper here than they could import them.

Mr. DOLLIVER. Yes.

Mr. BEVERIDGE. Would 50 per cent ad valorem, as far as the Senator has studied it, be prohibitive for those things?

Mr. DOLLIVER. I reckon. I would suggest, and I hope the committee will entertain the suggestion favorably, that the rate be fixed less than \$1 a yard at 35 per cent and more than \$1 a yard at 50 per cent.

Mr. BEVERIDGE. How would that strike the committee?

Mr. ALDRICH. Make it 40 per cent.

Mr. DOLLIVER. Well, let it be forty. Let us make some little difference between the king and the poor man.

Mr. BEVERIDGE. I suggest that that might be a happy solution.

Mr. PENROSE. Mr. President, I think it will be generally admitted, notwithstanding the reference to a king, that these are all articles of luxury, not of necessity. The framing of this amendment so as to segregate these upholstery goods from dress goods was attended with very great difficulty. Anyone conversant with the technicalities of their manufacture and the character of the different fabrics will recognize the importance of the amendment submitted by the chairman of the Committee on Finance, that is carefully thought out and accomplishes the purpose had in view, to classify these upholstery goods. They are articles of luxury, not of necessity.

Mr. ALDRICH. I would suggest to the Senator from Pennsylvania that we might make a dividing line.

Mr. PENROSE. I have no objection to a dividing line.

Mr. ALDRICH. I am anxious to get through this bill.

Mr. PENROSE. I think I ought to state, though, Mr. President, that with the exception of pile fabrics, chenille curtains, table covers, and goods made of chenille, all of which are provided for in the Dingley law, all these beautiful tapestries, all high works of art, came in at a rate of 30, 35, or 45 per cent ad valorem under the Dingley law, and the purpose of this amendment is to classify them as upholstery goods and have them bear a uniform duty.

Mr. DOLLIVER. If the Senator will permit me to interrupt him for a minute, does he know how many of them arrived under the Dingley law?

Mr. PENROSE. I know this Jacquard art and these new designs are comparatively recent. I do not suppose that the importations are very large just now, but I say the industry has languished, and it will become extinguished altogether unless it is provided for.

Mr. DOLLIVER. I think that is on account of the high colors of the goods.

Mr. SMOOT. It would be impossible to tell the amount of importations, because they are coming in under the countable clause. It would be impossible for us to say how many of them have been imported.

Mr. PENROSE. I simply want to add that this Jacquard finished work is quite high in the artistic line. I quote a part of the rather lengthy definition given by the Century Dictionary:

The Jacquard attachment is a device for forming sheds or openings for the passage of the shuttle between the warp threads, invented by Joseph Marie Jacquard, of Lyons. It consists essentially of a series of perforated paper on metal cards, of which there may be an indefinite number, joined together by flexible connections, which like an endless chain are carried upon a perforated revolving prism. There is no limit to variety of form and color of the figures that may be woven.

The introduction of the method of weaving at once advanced the art of figured weaving beyond the limit of mere geometrical patterns into the realm of fine art industry, as even the finest tapestries may be successfully imitated by it.

The preparation for weaving Jacquard figured goods is very expensive, especially for upholstery, where the patterns are of important size. First the design is painted on plain paper by an artist, in the exact size and coloring to be produced in cloth. It is then repainted by a mechanical draftsman on paper ruled in small squares. The process is often more costly than the original painting or sketch. Then from the point or ruled paper a card stamper punches the cards, each hole separately, reading from the point paper as a piano player would from a sheet of music. As in most cards used it is possible to cut as many as 1,200 holes, you can judge how slow the process is. There is a set now in use in Philadelphia that contains 20,000 separate cards laced together. The cost of that set was \$1,000. Each pattern requires different cards and each loom a different set. The manufacturer of cotton cloth has no such expense. He can use one weaver for a number of looms, where an upholstery manufacturer requires a weaver to each loom.

I think if there is one thing in the cotton schedule which should be encouraged it is these beautiful and artistic tapestries which are exhibited here to-night.

Mr. ALDRICH. I modify the amendment so as to read after the word "otherwise," in the sixth line of the amendment, "valued at \$1 or less per yard, 40 per cent ad valorem; if valued at over \$1 per yard, 50 per cent ad valorem."

That reduces the common goods 10 per cent.

The PRESIDENT pro tempore. The Senator from Rhode Island modifies his amendment, which the Secretary will read.

The SECRETARY. In the sixth line of the proposed amendment,

after the word "otherwise," insert "valued at \$1 or less per yard, 40 per cent ad valorem; valued at over \$1 per yard, 50 per cent ad valorem."

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be read.

The Secretary read as follows:

325. Stockings, hose and half-hose, made on knitting machines or frames, composed of cotton or other vegetable fiber, and not otherwise specially provided for in this section, 30 per cent ad valorem.

Mr. ALDRICH. I ask that that paragraph be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph.

The paragraph was agreed to.

Mr. CLAY. I should like to ask the Senator from Rhode Island a question. It is my recollection that the House increased all the items named in this paragraph.

Mr. ALDRICH. No; not in this paragraph; in the next paragraph.

Mr. CLAY. Paragraph 326?

Mr. ALDRICH. Paragraph 326.

Mr. CLAY. I see now.

Mr. BACON. Several Senators in addressing themselves to the cotton schedule have stated that the cotton schedule in the Dingley Act is practically the same as the cotton schedule in the Wilson Act. I find that that is only true up to about the paragraph just passed, because it is not true of paragraph 322 or paragraph 323. It is certainly not true of both those paragraphs; in other words, the rates are to be raised 25 per cent.

Mr. SCOTT. Do I understand now that the next paragraph is 326?

Mr. ALDRICH. Paragraph 325 has just been agreed to. I understand that we are now going to take up paragraph 326. It has not been reached yet; that is, the amendment has not been stated.

The PRESIDENT pro tempore. Paragraph 326 will be read.

The SECRETARY. On page 112 the committee proposes to strike out all of paragraph 326 as printed in the House text and insert a new paragraph, as follows:

326. Stockings, hose and half hose, selvedged, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, including such as are commercially known as seamless stockings, hose and half hose, and clocked stockings, hose or half hose, all of the above composed of cotton or other vegetable fiber, finished or unfinished, valued at not more than \$1 per dozen pairs, 50 cents per dozen pairs; valued at more than \$1 per dozen pairs, and not more than \$1.50 per dozen pairs, 60 cents per dozen pairs; valued at more than \$1.50 per dozen pairs, and not more than \$2 per dozen pairs, 70 cents per dozen pairs; valued at more than \$2 per dozen pairs, and not more than \$3 per dozen pairs, \$1.20 per dozen pairs; valued at more than \$3 per dozen pairs, and not more than \$5 per dozen pairs, \$2 per dozen pairs; and in addition thereto, upon all the foregoing, 15 per cent ad valorem; valued at more than \$5 per dozen pairs, 55 per cent ad valorem.

Mr. SCOTT. In connection with that paragraph I send to the desk a petition from a large manufacturing establishment in cotton hosiery in my State.

The PRESIDENT pro tempore. What is the request of the Senator from West Virginia?

Mr. SCOTT. I ask to have a petition read from the workmen employed in a large industry in my State making this class of goods.

The PRESIDENT pro tempore. Without objection, the petition will be read.

The Secretary read as follows:

MARTINSBURG, W. VA., April 1, 1909.

HON. NELSON W. ALDRICH,  
Chairman of the Finance Committee, Washington, D. C.:

We, the employees of the hosiery mills of the Kilbourn Knitting Machine Company, at Martinsburg, W. Va., realizing the important bearing of the tariff on hosiery to our means of livelihood, and the loss of production in this mill in the past, which has several times occurred, due to severe foreign competition, and wishing to signify our faith in the justice of an advance in the present rates of tariff on hosiery, which will enable us to secure steady employment without endangering our present rate of pay, do respectfully petition your honorable committee to vigorously support the proposed new tariff on hosiery.

Our conviction is that the manufacturers are not a body clamoring for additional profits, but they are asking for protection because they are threatened with annihilation, and that their many thousands of employees are threatened with a reduction of wages or entire loss of work.

The grades of hosiery in which we are most interested are those which retail to the consumer at 25 cents, 35 cents, and 50 cents per pair.

Mr. SCOTT. I ask that the petition be referred to the Committee on Finance, and also the additional petition which I have



here that I will not ask to have read, but I shall be glad to have it go in the RECORD and then referred to the Committee on Finance.

The PRESIDENT pro tempore. The Chair hears no objection, and it is so ordered.

The petition was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

THE KILBOURN KNITTING MACHINE COMPANY,  
Martinsburg, W. Va., April 5, 1909.

Hon. N. B. SCOTT,  
United States Senate, Washington, D. C.

DEAR SIR: In the last ten years there has been a large increase, both in the domestic output and the importations of hosiery into this country, but it happens to be a fact that the increase in domestic output has been almost entirely confined to that class of goods best protected by the tariff. This class was formerly imported into this country at \$1.75 per dozen and sold to the consumer at 25 cents per pair. Now, under the protective tariff, by domestic competition and rapid improvement in machinery, this same stocking, made from the same yarns, on the same gauge of machines, has been reduced until the price to-day is 57½ cents to 62½ cents per dozen, and the stocking is retailed at 2 pairs for a quarter instead of 25 cents per pair, as formerly; whereas the hosiery that retails at 25 cents and 50 cents per pair has been largely in the hands of foreign manufacturers, and they are to-day in this market to such an extent that they are the price-controlling factor which has stopped many of the hosiery mills of this country during the past year and a half which operate on this higher grade.

There has been no speedy nor average advance in price; the goods already referred to have been reduced from \$1.75 to 57½ cents per dozen; from 25 cents per pair to 2 pairs for a quarter. Fancy half hose, made in Germany, formerly retailed at 75 cents per pair, have been made by domestic manufacturers and sold at 25 cents per pair, and they have more intrinsic value than the German goods which sold at 75 cents per pair. Since the so-called "German tariff agreement" came into operation the German manufacturers have made such a reduction in the prices of fancy goods that it is impossible for the domestic manufacturer to make them at a profit, with the consequence that two-thirds of the machinery which makes fancy hosiery in the country at the present time is idle.

In 1908 the domestic mills making goods coming in contact with foreign competition—which goods were sold at 25 cents per pair—were obliged to reduce the price not only to cost, but in some instances below cost, in order to maintain their organization and hold their help together; and yet the importations of this class of foreign goods for that year fell off only about 10 per cent, showing that the foreigner could make and sell the 25-cent goods in this country when we could not make them at a profit.

The domestic hosiery manufacturers have not only not made any tremendous profits in the past fifteen years, but it has been impossible but for a few to pay any dividends at all, on account of increased price in raw material, increased price paid for labor, and reduction in price of goods, brought about not only by domestic competition, but by reduction in prices in Germany and consequent lowering of prices by the German manufacturer. But also from the fact that improvements in hosiery machinery in this country have been so rapid during the past fifteen years that, in order to keep pace with the times and competition, it has been necessary for the manufacturer to replace his machinery at least every five years. The hosiery business for the manufacture of a good quality of goods being a comparatively new one in this country, tremendous outlays of money have been necessary not only for the constant purchase of new machinery, but for the teaching and training of labor to a business entirely new in the United States.

The cost of labor in the past fifteen years has more than doubled, and it will, therefore, be seen by all of the above that the chief benefit that has accrued through protective tariff has been in the reduction of price to the consumer and increased price paid to labor.

The hosiery business in this country is now in a transition period; machine builders are constantly developing new and improved machinery; many mills are reaching for the 25-cent, 35-cent, and 50-cent goods trade; and if these grades of goods are given the protection incorporated in the present House bill there will be no raise in the price of the goods to the consumer, but the same result with this grade of goods is bound to follow as it did with the goods that are now sold two for a quarter instead of 25 cents per pair. In the next ten years this country will have the complete possession of the manufacturing of this grade of hosiery, and the consumer will get better quality, better value, and lower prices, and ever-increasing amount of labor will be given employment at good wages in this line of business.

Very truly, yours,

CHAS. W. KILBOURN, President,  
THE KILBOURN KNITTING MACHINE CO.

Mr. SCOTT. I hope it will be the pleasure of the Committee on Finance to restore the Payne rates in this paragraph. If the committee does not see proper to agree to it at this time, I shall try to put it in when we get into the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Finance.

Mr. DOLLIVER. It is a little difficult to those of us who do not see distinctly in the night to discover what was the occasion of striking out the House provisions and what changes are made in the italics reported by the Senate committee modifying in any way the meaning of the House provision and the provision of the present law.

Mr. SCOTT. If the Senator will allow me, I am very sorry to say the Senate committee amendment reduces the proposed tariff that was in the Payne bill, and that is the point I am objecting to. These people in my State have built up this industry and have made it one of the greatest manufacturing concerns that we have in our State. I went through it last fall. It employs a great many women and girls, and they earn fair wages, anywhere from three and one-half to seven dollars a week, by working five and one-half days. Since they have gone into the business the reduction has been nearly 50 per cent on

the class of goods they are making, coming into competition with the foreign materials. They are only asking to have the rate that was originally in the bill when it came to the Senate restored.

Mr. DOLLIVER. What part of paragraph 326 was it which the House had and the Senate amendment omits?

Mr. ALDRICH. I assume the Senator from Iowa is as familiar with this paragraph as any Member of the Senate. I have no doubt he is. He has mentioned the paragraph several times with interest. I have no doubt in his studies in the last two weeks he has found out precisely what is in the paragraph. The House increased the duties on hosiery about 20 cents a dozen on all the classes, as I remember.

Mr. SCOTT. About 20 cents?

Mr. ALDRICH. About 20 cents a dozen; and the Senate committee recommend the original Dingley rate, which is 20 cents a dozen less than is provided in the House bill.

Mr. DOLLIVER. Mr. President, the thing that interested me more than anything else was to find out, if I could, with what strength of conviction and with what force of earnest enthusiasm the Senate would present itself in conflict with the House as to this disagreeing vote. It would surprise a great many good ladies all over the United States, who are dreaming of a great victory over the House of Representatives, if, in the inevitable conflict that must ensue between the two Houses, the House of Representatives should be victorious. It will present almost as great a disappointment as if my honored friend from Kentucky [Mr. BRADLEY], who the other night carried with great enthusiasm here, and apparently without a dissenting voice, a proposition to take jute butts from the free list, thereby disturbing the entire jute-manufacturing industry in the United States, should wake up some beautiful morning in June or July, and find that jute butts had fallen, almost without anybody seeing it, back to the free list, where they have enjoyed themselves for a great many years. [Laughter.]

I do not want those good women put in the same position which I am afraid will be occupied along about the Fourth of July by my honored friend from Delaware [Mr. DU PONT], who the other day, after a speech which we all listened to with interest and applause, found himself able, without a dissenting voice in this Chamber, either on the committee or off of it, to stimulate the duty on potatoes from 20 cents up to 45 cents. [Laughter.]

I am sorry to disturb a dream so comfortable as that in which the women of Chicago and the Senator from Kentucky and my honored friend from Delaware are now luxuriating—the dream that what the Senate has done to them, or for them, is to remain undisturbed amid the vicissitudes of time and events that are likely to happen between now and their celebration of the Fourth of July. It is because I desire some definite information about this hosiery schedule and some definite expression from the Senate upon it that I have suggested to the Senator from Pennsylvania [Mr. PENROSE] that if that effort is to be made to confute the action taken by the House to stand firmly against the invasion of the rights of these good women, at least the preliminary skirmish of that fight ought to be made here in the peaceable discussions which are now going on in respect to the tariff schedules. [Laughter.]

Mr. GALLINGER. Mr. President, I venture to express the hope that the proposed amendment by the Committee on Finance will not be agreed to, or if agreed to, that the House provision will be retained in conference. I have in mind at the present time several hosiery mills in New Hampshire that have been trying to compete with Germany during the past three years. To-day one of them is entirely idle, and the others are working on short time. The present duty is not adequate; it is not protective, and ought to be substantially increased.

Mr. President, at the port of New York alone during the months of January, February, and March 12,874,244 pairs of hose came into this country; and the deluge continues. It is an absolute impossibility under the rates of the Dingley law for our hosiery mills to compete with the mills of Germany. I have in my hands Senate Document No. 16, and turning to page 53-I find from our consul at Chemnitz these words:

Chemnitz hosiery manufacturers sell nearly one-half of their total product in normal years to the United States, and the amount is about four times greater than what is required for consumption in Germany itself. In certain cases American firms contract for the entire annual product of various Chemnitz hosiery mills; in others, one or two American customers may contract for the chief bulk of wares produced by single mills.

Mr. President, that is the situation. The hosiery manufacturers of Chemnitz, in Germany, are selling their products in the United States because our manufacturers are utterly unable to compete with them under the rates of duty imposed by the existing law. The House of Representatives, recognizing that

fact, increased the duties to what they thought was a reasonable protective point, which I think ought to be continued beyond peradventure.

The Senator from Iowa [Mr. DOLLIVER] talks about the good ladies of Chicago. It is true, Mr. President, that a great concern in Chicago did succeed in getting up quite a movement on the part of the women of Chicago, who demanded that the rates should be reduced from those fixed by the House bill; but it is equally true that the women employed in the hosiery mills of this country, thousands and thousands strong, have entered a protest against reducing the rates fixed by the House. For my part, I prefer to legislate for the poor women who are earning their living in these hosiery mills rather than for the women of Chicago, who can afford to buy hose at a price such as the mills of the United States can afford to manufacture them for.

Mr. President, as I have said on several occasions heretofore, I have no disposition to enter into a lengthy controversy over this matter, because I want the bill to go along as speedily as possible; but I will ask to have read from the desk a letter from a gentleman recently a citizen of my State, and who is now connected with the American Thread Company in New York, which discusses this matter very intelligently, and, I think, very conclusively. I ask that the letter may be read.

The PRESIDENT pro tempore. If there be no objection, the letter will be read.

Mr. SMITH of Maryland. May I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Maryland?

Mr. GALLINGER. Certainly.

Mr. SMITH of Maryland. The Senator from New Hampshire states that the hosiery manufacturers in his State are not working full time. I should like to ask the Senator if he knows of any manufacturing industry in this country that is working full time?

Mr. GALLINGER. Oh, a great many.

Mr. SMITH of Maryland. I do not know many.

Mr. GALLINGER. A great many.

Mr. SMITH of Maryland. There may be such, but they are exceptional. I want to say to the Senator from New Hampshire that there is no more reason why this industry should be protected in order that the mills may work on full time than that other manufactures in this country should be protected.

Mr. GALLINGER. Well, Mr. President, there is every reason why it should be protected to the point where it would prevent the importation in three months into the port of New York of over 12,000,000 pairs of hose. That is only one port of our country which shows that we are being literally deluged with German hose.

Mr. SMITH of Maryland. I know of no other article that is protected much better than hosiery.

Mr. GALLINGER. It simply is not adequately protected. That is the difficulty.

Mr. SMITH of Maryland. And there is no reason why the people of the whole country should be subjected to an unreasonable duty in order to protect a few manufacturing interests in the State of New Hampshire or in any other State.

Mr. GALLINGER. Mr. President, the Senator from Maryland is getting rather narrow in his discussion when he alludes to the State of New Hampshire in this connection. This industry is carried on in a great many States.

Mr. SMITH of Maryland. I say or any other State.

Mr. GALLINGER. Yes; or any other State. I say to the Senator from Maryland that this industry to-day is absolutely languishing, and has been languishing for several years. It is utterly impossible—and I speak from knowledge—to carry it on successfully in competition with the underpaid labor of Germany, where our merchants go into the great city of Chemnitz, buy the product there and bring it into this country and undersell the manufacturers of the United States.

I want, Mr. President, to have the letter which I have sent to the desk read, and I will rest the case there.

The PRESIDENT pro tempore. The Secretary will read the letter, if there be no objection. The Chair hears none.

The Secretary read as follows:

RE COTTON HOSE SCHEDULE.

THE AMERICAN THREAD COMPANY,  
266 West Broadway, New York, April 27, 1909.

Hon. JACOB H. GALLINGER,  
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am writing you in reference to the above matter, hoping that you will use your good offices in favor of the hosiery manufacturers of this country, whose interests the present bill before the Senate to some extent ignores. This, I am convinced, is due to the fact that the hosiery manufacturers did not have an opportunity to present their case before the Finance Committee of the Senate in the same manner as they did before the Ways and Means Committee. I therefore inclose you a copy of the brief submitted by the hosiery people to the latter.

The competition which the hosiery manufacturer has to meet in this country is mostly from Chemnitz, Germany. Chemnitz is a city of 300,000 inhabitants, and almost the exclusive industry in this place is hosiery, 60 per cent of the product being exported to the United States. When the Dingley bill became law twelve years ago, the rates were then sufficient to equalize the difference in the rate of wages paid to the operatives in Chemnitz and those paid in the United States. Since that period, however, reductions have taken place in the wages paid in Chemnitz amounting to, I am informed, 25 per cent. In this country, on the other hand, wages have steadily increased until the rate paid to-day is almost 50 per cent higher than was paid in 1897. It was in order to partially offset this difference in labor cost that the hosiery manufacturers of this country requested the Ways and Means Committee to grant them an increase in the rates of duty. They had an opportunity to present their case to the Ways and Means Committee in such a way that they convinced these gentlemen their claims were just.

The amount of opposition raised to the new rates of duty and the mass meetings held by women throughout the country was all cleverly engineered on the part of the jobbers and retailers, who, at the present prices at which they can import the finer grades of hosiery, divide between them a profit of 100 per cent. The goods retail at 25 cents, and, as a result of the low wages paid in Chemnitz, they can be imported under the present rate of duty at \$1.50 per dozen by the jobber, who in turn sells them to the retailer at \$2 and the retailer to the consumer at \$3 per dozen, or 25 cents per pair. The advance which the hosiery manufacturers have asked would not affect the retail price of the goods, but would give the American manufacturer an opportunity to make the goods here, employing many thousands of hands in their manufacture, and there would still be a very large profit left to divide between the jobber and the retailer.

We are particularly interested in the hosiery schedule, for the reason that the fine yarns used by the hosiery manufacturers are made largely by spinners such as ourselves, and, should the prevailing Dingley rates remain in force, without the advance being granted to the hosiery manufacturers which the House bill conceded to them, no part of these goods can, I understand, be made in this country, and many thousands of people who would otherwise be employed not only in the making of the hosiery goods, but also in the spinning of the yarns for same, will perforce remain idle.

I would not trouble you in this matter at all had I not been fully convinced of the absolute fairness of the increase asked for by the hosiery manufacturers.

With kind regards, I am

Sincerely, yours,

F. E. KIRBY.

Mr. SCOTT. Mr. President, I think the Senator from New Hampshire neglected to state that where contracts are made on the other side for the output of a factory by American importers, it necessarily leaves that article in the home country without any fixed price; consequently the importer can have it billed at a rate greatly below what the actual value of the article is, and by that means he gets the hosiery into this country not only at the already low rate, but at a further reduction, because there is no home market for the goods contracted for.

Mr. PENROSE. Mr. President, I do not intend to detain the Senate at this time by any lengthy discussion of the hosiery paragraphs. I am content to follow the chairman of the Finance Committee in his amendment of the bill and trust to ultimately working out an adequate and merited protection for this class of fabrics, than which I do not think there are any more meritorious contained in the numerous paragraphs of the tariff bill.

There are some 600 hosiery mills located in the country, in over 32 States. These hosiery mills employ about 50,000 people, on whom are dependent for a living some 500,000 persons. They are scattered all over the North, the South, and the West.

The German wages are about 25 cents, where we pay \$1. The hosiery concerns are not open to any charge of being in a trust or ever having been in a trust or likely to be in a trust, so far as that statement may be a consolation to those who become apprehensive with a suspicion of such an occurrence.

I am told that the importations for last April are 63 per cent greater than they were for April, 1908. The importations for the last few years are most striking. In 1903 they were \$8,000,000; in 1906 they rose to considerably over \$9,700,000; in 1907 to \$11,000,000, and in 1908 to nearly \$11,000,000.

The rates of the Payne bill will have to be adopted by the Senate in this connection or the manufacturers of hosiery will have to reduce the wages of their employees 20 or 25 per cent or close their mills, as it is impossible for them to proceed longer under the Dingley law.

An effort has been made to show that they have been in full operation—

Mr. DOLLIVER. If it will not disturb the Senator—

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Iowa?

Mr. PENROSE. Certainly.

Mr. DOLLIVER. What class of cotton hosiery does the Senator refer to as being threatened with this dangerous foreign invasion?

Mr. PENROSE. All hosiery, as I understand.

Mr. DOLLIVER. Does it affect what is called clock hosiery?

Mr. PENROSE. What hosiery?

Mr. DOLLIVER. Clock hosiery.

Mr. GALLINGER. It very seriously affects the higher price hosiery of that character.



Mr. PENROSE. As I understand, it affects all the hosiery that is made by American producers.

Mr. President, there are individual concerns now protesting against the proposed hosiery schedule who have more money than all the hosiery manufacturers in the country combined. The middleman's profit, which runs from 60 to 100 per cent, should convince any fair-minded man who has the prosperity of the country at heart that this small advance in duty can not affect the consumer.

The contention of the National Association of Hosiery and Underwear Manufacturers for an increase in the tariff on cotton hosiery is based entirely on the cost of manufacturing abroad and in this country.

The tariff of 1897 does not measure this differential in cost. In July, 1908, the manufacturers in Chemnitz, Germany, forced a lockout of their employees, which ended by the help returning to work at a reduction of about 25 per cent in wages.

Investigation shows that the following is about the comparative difference in wages at the present time. German wages can be substantiated by the government's official reports.

Chemnitz.			
Males (knitters)-----	per week--	\$5.00 to	\$6.50
Males (finishers)-----	do-----	3.00 to	4.00
Females-----	do-----	1.50 to	3.50
United States.			
Males (knitters)-----	per week--	\$22.00 to	\$33.00
Males (finishers)-----	do-----	11.00 to	16.00
Females-----	do-----	5.00 to	13.00

Wages are according to class and grade of work and skill required; deftness and ability largely enter in the matter of wages, the scale of wage being based on piecework.

I ask to have inserted a memorandum giving these figures more in detail.

The PRESIDENT pro tempore. In the absence of objection, permission is granted.

The memorandum referred to is as follows:

*Imports of cotton hosiery.*

	Dozens.	Value.	Duties.	Total value.
1903-----	3,814,055	\$4,948,390	\$3,149,387	\$8,098,247
1904-----	4,119,579	5,430,905	3,264,040	8,694,945
1905-----	4,232,028	5,424,000	3,287,518	8,711,638
1906-----	4,690,870	6,119,195	3,675,829	9,795,024
1907-----	5,128,726	7,019,304	4,138,741	11,158,135
1908-----	4,829,123	6,855,075	3,904,824	10,849,899

Mr. PENROSE. In 1908, when American hosiery mills were being operated on half and three-quarter time, the importations fell off \$300,000 only, owing to revised costs of manufacturing in Germany and reductions in the price of hosiery.

Mr. President, there is another menace to this industry which we must not lose sight of, and that is the increasing competition from Japan. A pure silk hose is retailed in Tokyo and Yokohama at \$1 Mexican or 50 cents in American money per pair.

Investigation has disclosed the fact that the manufacturer sells the same articles at about \$4 United States currency. At this price it would cost to import, all duties and charges paid to New York City, about \$6.55 per dozen pairs for the Japanese silk article.

This hose, from the standpoint of a hosiery manufacturer, is absolutely the most perfect article known to the craft, combining, as it does, all the best features of both foreign and American made hosiery.

The frame on which this hose is made does not, to the best knowledge of anyone in the business here, exist outside of Japan. The product is absolutely perfect in every respect and can not be criticised in any way.

A German silk-lace hose of similar quality, while possessing only part of the best features of the exhibit, costs in Germany at wholesale about 40 marks, which would make the cost in the United States, duties and expenses paid, about \$16 per dozen pairs.

Japanese hosiery workers, according to last reports, receive wages as follows: Males, 25 cents; females, 9 cents to 15 cents per day. The day's work is from twelve to fourteen hours, according to the season of the year.

Up to the present time the Japanese have not attempted to export their hosiery to this country, preferring first to gain the markets of the Orient; but the day is not far distant when they will be in a position to force the American market.

In Osaka alone there are about 1,300 manufacturers of and dealers in knit goods. Of the total imports of knitted goods to India, about 60 per cent is from Japan. This is said to

have greatly alarmed Indian merchants interested in this line, and several plans have been laid to prevent the Japanese article entering the markets.

The popularity achieved by Japanese knitted goods is attributed to the excellent machines used and to the skill of the Japanese workmen.

In Japan a special machine has been invented by manufacturers. At the price of one German machine five or six Japanese machines can be purchased, while the Japanese machine turns out about twice the quantity of work produced by the German machines.

As to knitting, a Japanese can produce about three times the quantity produced by an Indian. The only drawback of the Japanese work is that it is inferior in quality when compared with that produced by German machines.

The value of hosiery sold by Japan to India increased from \$36,460 in 1902-3 to \$1,279,743 in 1907-8. One Japanese mill, engaged in manufacturing a class of goods largely shipped to India, employed 290 hands, nearly all girls, who work for very small wages. It should be noted, however, that the wages of girls in Japanese mills are fully as much as those paid the girls in Indian mills.

Mr. President, this industry, as I have said, is scattered all over the country. It gives employment to men, women, and children, and is a benefaction in every community where it exists. I join with what I assume to be the attitude of the Senator from Iowa, that something can be done later on to alleviate their condition.

An effort was made to create the impression that these mills had all been working on full time, or very nearly full time, and were in a prosperous condition. I have here a very large number of statements from mills all over the country, setting forth that while it is true some of these mills have been running during the winter at a reduced rate in order to keep their employees at work and to keep their machinery going, yet that condition is rapidly passing away, and few of them are working at more than 60 or 70 per cent of their capacity; that many of them are closed altogether, and that, in the opinion of everyone engaged in the industry, there is no future for it unless the Payne rates are restored to the tariff bill.

Mr. GALLINGER. Mr. President, just one word more. In this official communication from our consul at Chemnitz not only is the startling fact stated that almost the entire output of that great city is sent to the United States, but it is also stated that they are selling to the American importers at a less price than they sell to the domestic market. So that these goods are not only being sold lower here than they are sold to the people of Germany, but they are being practically dumped upon the American market to the extent of the output of those immense mills.

Mr. President, the Senator from Pennsylvania [Mr. PENROSE], who is himself a member of the Committee on Finance, suggested, as I understood him, that it might be well to allow this amendment to remain in the bill and have the matter further investigated both by the Finance Committee of the Senate and by the conference committee.

I have personally no particular objection to that procedure. What I wanted to do was to emphasize in the Senate the fact that this is an industry that needs more protection than it is receiving under the existing law; that unless it does receive it, the beginning of the end of the hosiery industry of the United States has already commenced; and that that great industry, employing a large number of people and struggling, as it is, against intense foreign competition and cheaper labor, is entitled to a very careful consideration on the part of the committee of the Senate and on the part of the Congress of the United States.

Mr. DOLLIVER. Mr. President, if the Senator will permit me—

Mr. GALLINGER. Certainly.

Mr. DOLLIVER. Does not the Senator from New Hampshire think it would be better for the Senate to consider this matter in view of the facts and circumstances concerning this case and take action upon it?

Mr. GALLINGER. I assume that the Senate will do that. I have no disposition, of course, to foreclose the discussion of this question at all. I have taken, as I have been in the habit of doing during the discussion of this bill, as little time as possible in stating my views on these various schedules, and I have no disposition to debate the matter at length, but there is no reason, of course, why every other Senator should not have the same privilege which I have taken in this matter.

Mr. DOLLIVER. I am sure everybody thinks the Senator from New Hampshire has taken altogether too little part in this discussion.

Mr. GALLINGER. I thank the Senator.

Mr. DOLLIVER. The thing that bothers me is that thousands of good women descended upon the Finance Committee, having first interviewed the Speaker of the House, with a view of defeating certain actions that were taken in the House of Representatives.

Mr. GALLINGER. And a very considerable proportion of them undoubtedly wore silk hose.

Mr. DOLLIVER. I have not examined that question. [Laughter.]

Mr. GALLINGER. But the Senator remembers the fact that a very large delegation of working women descended upon Washington protesting against the contemplated change in this bill.

Mr. DOLLIVER. When these good women came here at their own expense—

Mr. GALLINGER. Do not be too sure of that.

Mr. DOLLIVER. Claiming to represent thousands of people, and approached our marble palace yonder, the Finance Committee saw them coming—

Mr. GALLINGER. And surrendered.

Mr. DOLLIVER. And surrendered, and they went home at their own expense and are now resting peacefully in the belief that they have won a victory. Does the Senator from New Hampshire and the Senator from Pennsylvania, both noted for gallantry, believe it is the square deal to now remit the question to the darkness and secrecy of a conference committee and have these patriotic women wake up on the Fourth of July with this duty restored, when they had every reason to trust the wisdom and judgment of the Finance Committee in omitting it from this paragraph?

Mr. GALLINGER. I will say to the Senator that that is where it must inevitably go—to the dark recesses of the conference committee—whatever we do, unless we restore the rate of the House bill.

Mr. DOLLIVER. Why does not the honorable Senator from Pennsylvania make a motion to restore the House provision?

Mr. PENROSE. I am in hopes that the members of the Finance Committee, including the chairman, gradually, by thinking and reflecting upon this proposition, will become as earnest for the Payne rates as the Senator from New Hampshire and I are.

Mr. DOLLIVER. I have no particular occasion to cultivate my enthusiasm—

Mr. PENROSE. I do not want to force them. I know they have a great many things on their mind.

Mr. DOLLIVER. But the Senator expressed such confidence in the committee as almost led me to believe that it was perfectly safe to allow this great issue to lapse into silence and indifference here in the Senate—

Mr. PENROSE. Oh, no, Mr. President.

Mr. DOLLIVER. And to reappear with new strength and vitality when the Finance Committee in conference had finished the work of finally preparing this bill.

Mr. PENROSE. My thought would be that if the Finance Committee did not show a marked mental improvement on this paragraph by the time the bill is reported to the Senate, I would confer with the Senator from Iowa and arrange for an assault all along the line. [Laughter.]

Mr. DOLLIVER. I doubt whether I could fight successfully under such a hesitating and timid leader as the Senator from Pennsylvania. [Laughter.]

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

Mr. LODGE. At the end of the paragraph just adopted I offer an amendment on behalf of the committee.

The SECRETARY. Insert at the end of paragraph 326 the following:

Cotton gloves, knitted or woven, valued at more than \$1.20 and not more than \$6 per dozen pairs, 50 cents per dozen pairs and 45 per cent ad valorem; valued at more than \$6 per dozen pairs, 55 per cent ad valorem.

Mr. BACON. It is very difficult for us, the amendment not having been printed, as I understand, to gather the import of it, or what the effect is to be.

Mr. LODGE. I can tell the Senator. It is a very simple amendment. Cotton gloves, which are as difficult of manufacture as stockings and hose, have come in under the clause of "manufactures of cotton not otherwise provided for." The result has been that the industry has hardly been able to live. In fact, it is practically dead. I believe there is only one maker left. These gloves are used chiefly for the army and the militia. Only the other day the Government of the United

States bought 300,000 of these foreign-made cotton gloves for the army, something, I venture to say, no other government in the world would do. They buy their gloves from their own people.

This gives them simply the same rate of duty that is imposed upon hosiery, the rate of the Dingley Act, not an increase, but on the same basis as that, a compound rate, a somewhat lower specific than hosiery has, a somewhat higher ad valorem in the first clause, and in the last clause precisely the same.

Mr. BACON. I understood the Senator from Massachusetts to say that the class of gloves covered by this amendment are the gloves used particularly by military men; and what other class of men?

Mr. LODGE. That is all. I said the principal use was in the army and in the militia.

Mr. BACON. As I have said, we have not the opportunity to have this amendment before us for examination. Therefore the Senator will excuse me for making a further inquiry.

Mr. LODGE. Certainly.

Mr. BACON. So far as we could gather from the reading, it would include all classes of knit gloves?

Mr. LODGE. No; only cotton gloves.

Mr. BACON. I mean all classes of knit cotton gloves.

Mr. LODGE. Certainly; all along. It is a mere question of fineness.

Mr. BACON. If it covers all classes of knit cotton gloves—

Mr. LODGE. They are of precisely the same manufacture. It is only a question of fineness.

Mr. BACON. The Senator will permit me to finish the sentence?

Mr. LODGE. I thought the Senator had finished. I never can tell.

Mr. BACON. Oh, no; I had not.

What I desire to suggest, and to see whether or not I am correct in it, is this: That if it covers all classes of knit cotton gloves it must cover the class of cotton gloves that the poor people wear, and I can not understand how, unless it is guarded in some way, it should relate only to military gloves.

Mr. LODGE. Of course it can not be limited to military gloves. They are the ordinary cotton gloves.

Mr. BACON. I understand that, but I should suppose that—

Mr. LODGE. The foreign glove costs about 14 cents, and the gloves made here cost something over 20 cents a pair—the cheapest.

Mr. BACON. The point I am after is this: I want to find out from the Senator whether he is confident in the statement that the class of gloves covered by this amendment will be almost exclusively simply the military glove. Is it not true that it will cover all the cheap class of cotton gloves that the poorest people wear?

Mr. LODGE. It covers all classes of gloves which are arranged under the two brackets; it covers all cotton gloves—

Mr. BACON. Very well.

Mr. LODGE. Arranged under the two brackets. Military gloves are among the cheapest, I think.

Mr. BACON. That may be true, and I am not particularly concerned about the military gloves—

Mr. LODGE. The principal consumption is there. That is the only reason why I mentioned it.

Mr. BACON. I think the Senator must be mistaken about that.

Mr. LODGE. I dare say I am, as I got the information from the people who make the gloves. They say the principal consumption is in the military.

Mr. BACON. That may be. I am not disputing the fact that the Senator sought his information from—

Mr. LODGE. I dare say they do not know anything about it.

Mr. BACON. From the best source; but we all of us every day of our lives see the poorer classes wearing these gloves, and as there are several hundred thousand of them to each soldier, it seems to me it must necessarily be the case that the consumption by the people in the other walks of life is very much greater than it possibly can be as to military gloves. I think we ought to be very much more concerned about that than we would be about increasing the cost of the very highest class of gloves. The gloves that are worn by people who can less afford to pay for them ought to be the gloves as to which we ought most carefully to guard against any raise in prices. If the Senator can frame his amendment so as to limit it to military gloves, as seems to be his intention—

Mr. LODGE. I can not frame it so as to cover merely military gloves, and I have no desire to. Either we want to keep this industry alive or give it to the foreigners. It is almost dead now. If we do not give it this additional rate the in-



dustry will die. There seems to me no reason in the world why in a country raising cotton we should not make our own cotton gloves and why they should not have the same duty as is placed upon hosiery.

Mr. BACON. What would be the ad valorem rate?

Mr. LODGE. The ad valorem rate is 55 per cent, as stated on the last bracket; that is, over \$6 a dozen, 55 per cent; valued under \$6, 45 per cent, and 50 cents a dozen.

Mr. BACON. In other words, it will add 50 per cent to the cost of the common glove?

Mr. LODGE. It adds 50 cents a dozen to the rate they now carry, and 10 per cent ad valorem for the expensive class—over \$6 a dozen.

Mr. BACON. I do not care about the expensive ones.

Mr. LODGE. That is, 50 cents a dozen. That is the exact amount of the addition—50 cents specific to the existing rate. That is exactly what the addition is.

Mr. CULBERSON. I ask that the amendment may again be reported.

Mr. LODGE. I do not mean to say that it adds that to the domestic price. I say to the duty.

Mr. BACON. I understand.

The PRESIDENT pro tempore. The amendment will again be stated, at the request of the Senator from Texas.

The Secretary read the amendment.

Mr. BACON. I shall not detain the Senate in discussing it. I am impressed by the fact that it ought not to be done, and I ask that we may have the yeas and nays.

Mr. DOLLIVER. If the Chair will permit me to inquire, is this amendment offered by the committee?

The PRESIDENT pro tempore. Offered by the committee. Is there a second to the demand for the yeas and nays?

Mr. ALDRICH. I hope we will not have a yea-and-nay vote, because it takes time, and it is my purpose, if we get through the cotton schedule, to move to adjourn before we take up the woolen schedule.

Mr. BACON. It will not take long to have the yeas and nays.

Mr. ALDRICH. Well.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I desire to announce my pair with the senior Senator from Tennessee [Mr. FRAZIER].

Mr. DILLINGHAM (when his name was called). Owing to the absence of the senior Senator from South Carolina [Mr. TILLMAN], with whom I have a pair, I withhold my vote.

Mr. DU PONT (when his name was called). I am paired with the junior Senator from South Carolina [Mr. SMITH]. I transfer the pair to the junior Senator from Washington [Mr. JONES], and I will vote. I vote "yea."

Mr. FRYE (when his name was called). I am paired with the senior Senator from Virginia [Mr. DANIEL].

Mr. PILES (when the name of Mr. JONES was called). My colleague is paired with the junior Senator from South Carolina [Mr. SMITH].

Mr. McCUMBER (when his name was called). I have a pair with the junior Senator from Louisiana [Mr. FOSTER]. He being absent, I withhold my vote.

Mr. OLIVER (when his name was called). I am paired with the junior Senator from Oregon [Mr. CHAMBERLAIN]. I transfer the pair to the Senator from Connecticut [Mr. BULKELEY] and will vote. I vote "yea."

Mr. GORE (when Mr. OWEN's name was called). I desire to announce that my colleague is absent. If he were present, he would vote "nay."

Mr. RAYNER (when his name was called). I have a pair with the senior Senator from Oregon [Mr. BOURNE]. If he were present, I should vote "nay."

Mr. CURTIS (when Mr. SCOTT's name was called). I have been requested to announce that the Senator from West Virginia [Mr. SCOTT] is paired with the Senator from Florida [Mr. TALLIAFERRO].

Mr. SUTHERLAND (when his name was called). I have a pair with the junior Senator from Tennessee [Mr. TAYLOR]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 41, nays 24, as follows:

## YEAS—41.

Aldrich	Clark, Wyo.	Guggenheim	Piles
Borah	Crane	Hale	Root
Bradley	Crawford	Heyburn	Smith, Mich.
Brandagee	Depew	Johnson, N. Dak.	Smoot
Briggs	Dick	Kean	Stephenson
Brown	Dixon	Lodge	Warner
Burkett	du Pont	McEnery	Warren
Burnham	Elkins	Oliver	Wetmore
Burns	Flint	Page	
Burton	Gallinger	Perce	
Carter	Gamble	Perkins	

## NAYS—24.

Bacon	Cummins	La Follette	Overman
Bailey	Dolliver	McLaurin	Paynter
Bristow	Fletcher	Martin	Shively
Clapp	Gore	Money	Simmons
Clay	Hughes	Nelson	Smith, Md.
Culbertson	Johnston, Ala.	Newlands	Stone

## NOT VOTING—26.

Bankhead	Curtis	Jones	Smith, S. C.
Beveridge	Daniel	McCumber	Sutherland
Bourne	Davis	Nixon	Talliaferro
Bulkeley	Dillingham	Owen	Taylor
Chamberlain	Foster	Rayner	Tillman
Clarke, Ark.	Frazier	Richardson	
Cullom	Frye	Scott	

So the amendment of the committee was agreed to.

Mr. ALDRICH. I ask that the paragraph as amended be agreed to.

The paragraph as amended was agreed to.

The SECRETARY. Paragraph 327, shirts and drawers, pants, vests, union suits, and so forth.

Mr. ALDRICH. The paragraph has been read.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph.

The paragraph was agreed to.

The SECRETARY. Paragraph 329, cotton table damask.

Mr. ALDRICH. The committee have some amendments to paragraph 328.

The PRESIDENT pro tempore. The Senator from Rhode Island for the committee offers an amendment, which will be stated.

The SECRETARY. It is proposed to amend paragraph 328 as follows: First by inserting at the beginning of the paragraph the words "Bandings, beltings, bindings, tapes, webs, or webbing not made on a braiding or other similar machine," and in line 11 strike out the word "articles," and strike out all of the Senate amendments in italics and restore the language of the House.

The amendment was agreed to.

Mr. DOLLIVER. I should like to inquire of the chairman of the committee whether the amendment he has just offered puts cotton duck back into the paragraph?

Mr. ALDRICH. It does.

Mr. DOLLIVER. It also puts in webbing and webs?

Mr. ALDRICH. Yes.

The PRESIDENT pro tempore. The paragraph as amended is agreed to.

Mr. BACON. Do I understand the Senator to withdraw the Senate Committee amendment to that paragraph?

Mr. ALDRICH. The other Senate amendment.

Mr. BACON. Which one?

Mr. ALDRICH. The one in lines 13 and 14, and all the Senate amendments that appear printed in the bill I withdraw.

Mr. BACON. That is the question I asked.

Mr. ALDRICH. Yes.

Mr. BACON. All those printed in the bill?

Mr. ALDRICH. Are withdrawn.

Mr. BACON. Oh.

Mr. ALDRICH. The others are inserted.

The PRESIDENT pro tempore. The Secretary will read the next paragraph.

The SECRETARY. Paragraph 329, cotton table damask.

Mr. DOLLIVER. What is the paragraph?

Mr. HALE. Paragraph 329.

Mr. DOLLIVER. I desire to make some remarks on the Senate amendment in paragraph 329, if that is now before the Senate.

The PRESIDENT pro tempore. It is an open question.

Mr. DOLLIVER. I desire to ask for the yeas and nays on the Senate amendment. Before I do that, I should like to ask the chairman of the committee, cotton duck being dutiable under existing law at 35 per cent in this paragraph, the Senate amendment appears to strike it out—it goes out and down or up—and I should like to know exactly where it reappears.

Mr. ALDRICH. It will go to the countable paragraphs of the schedule.

Mr. DOLLIVER. But I notice in the Book of Estimates it is put down at 45 per cent, which would seem to indicate that it does not go into the countable paragraphs.

Mr. ALDRICH. That is a mistake of whoever put it there, because it does not go there. It goes into the countable paragraph of the schedule, at whatever rate may be imposed upon the count and the weight.

Mr. DOLLIVER. I imagined from the fact that it is set down in the Book of Estimates as bearing the rate of 45 per cent under the Senate amendment, it found its way to the basket clause of the cotton schedule as a sort of manufacture of cotton.

Mr. ALDRICH. That is the mistake on the part of Major Lord as to what rate should be imposed.

Mr. DOLLIVER. Is the Senator able to say into what countable paragraph it will go?

Mr. ALDRICH. The denomination which cotton duck had formerly had a stated meaning, but it has been so varied in various cases—some very valuable, some otherwise than valuable—that in the opinion of the committee it was absolutely necessary that this description of cloth should have a rate that would be the rate of duty established by the various countable provisions of the schedule. If a fine cloth, it would be dutiable as a fine cloth. If a coarse cloth, it would be dutiable as a coarse cloth.

Mr. DOLLIVER. If it will not trouble the Senator, has investigation been made to show what effect on this rate, which is now a flat rate, 35 per cent, according to value, this transfer to the countable paragraph will have upon the average?

Mr. ALDRICH. It will reduce some of them. I think it reduces them largely and increases some of the higher grades.

Mr. DOLLIVER. So that it will be below 35 per cent?

Mr. ALDRICH. I think the average will be.

Mr. DOLLIVER. If it shall fall below 35 per cent, it will be a very agreeable surprise to me.

Mr. ALDRICH. I suppose the Senator will agree that cotton duck, according to the count, should pay the duty that other cotton cloths do. I can see no reason why it should be picked out for a particular rate of duty.

Mr. DOLLIVER. But it always has been picked out.

Mr. ALDRICH. Because cotton duck heretofore has been a particular article; but in recent years, whenever it was desirable on the part of the man who was importing cotton duck to call it something else, or to call something else cotton duck for the purpose of getting it in at a lower rate, he did so, and therefore the phraseology has been changed.

Mr. DOLLIVER. I will say this—

Mr. GORE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Oklahoma?

Mr. DOLLIVER. I hope the Senator will let me finish this sentence.

Mr. GORE. I merely desire to say that if the Senators can, without violating any confidence, I hope they will talk louder. We on this side can not hear them.

Mr. DOLLIVER. I agree with the Senator from Rhode Island, that if this cotton duck can be carried into the general classification of cotton cloths, it is an improvement on the old law. The only thing I feared was that in the process of transporting it to the countable paragraphs it might partake of the general tendency of this bill to increase the rates somewhat; and unless that can be shown to be necessary I think it would be undesirable.

Mr. LA FOLLETTE. We were unable to hear what the Senator from Rhode Island said with respect to the effect of this change in line 12, paragraph 329, striking out those words. Does it operate to increase the duty?

Mr. ALDRICH. It throws all these articles of cotton duck into the countable paragraphs of the schedule. On the low grades it would probably reduce the duty somewhat and on the high grades increase it somewhat. The trouble is that various fine articles of cotton cloth have been imported as cotton duck for the purpose of getting them in at a lower rate. For instance, the linings of bicycle tires, which are about the most expensive manufacture that I know of in cotton cloth, have been imported and passed in some cases, anyhow, as cotton duck, and this is simply to give to cotton duck the rates which it would have under the countable paragraphs of the act. The arguments in favor of it, it seems to me, are unanswerable.

Mr. LA FOLLETTE. I notice in the table of estimates it was marked up as an increase in the duty of from 35 to 45 per cent.

Mr. ALDRICH. That is an error on the part of Major Lord, who prepared those figures.

Mr. LA FOLLETTE. In order to make certain in the case of cotton ducks, such as is not suitable for the lining of bicycle tires, would there be any objection to specifying that common duck should not have a higher duty than 35 per cent? I notice that those who appeared before the Ways and Means Committee asked for a change in this duty on account of the large percentage of the imports being brought in of the finer goods and brought into competition with that manufacture in this country. For linings for bicycle tires, it is stated—

that about nine-tenths of all the so-called "cotton duck" now imported into New York, the main port of entry for this material, is in reality tire fabric, which accounts for the relatively high per square yard valuation gained from the statistics given above.

The manufacturer who made this statement said further:

Fabrics used in the manufacture of tires cost far more to produce than ordinary cotton duck. Such fabrics must necessarily be very strong, and with the strength of every part equal to the strength of every other part. The manufacturer of this cloth requires especial care and skill, and very much more labor, therefore, enters into its production than that of ordinary cotton duck. It is, in the main, this very element of extra labor that calls for the differentiation of tire fabrics from ordinary cotton ducks in the tariff schedule.

Since cotton duck is so largely used for clothing for mechanics and laborers, it seems to me it ought not to be left in any possible doubt, and a different provision might be made for the tire linings, leaving the line just stricken out here in that paragraph, so that there can not by any possibility be any increase in that duty, because there are no importations calling for it. There does not appear to have been any manufacturers before the Ways and Means Committee of the House who suggested that any increase was necessary. If nine-tenths of the total of \$15,000 of importations given in the imports and duties, as well as in the table of estimates, is of the cloth suitable for tire linings, there certainly ought not to be any possible increase made in the duty on this cheaper quality of duck.

I merely submit for the consideration of the chairman of the committee whether there might not be a provision made for tire linings in paragraph 330 where it would take 45 per cent duty and allow line 12 in paragraph 329 to stand.

Mr. ALDRICH. Cotton duck, as it was originally provided for in all the acts which were prior to this time heavy cotton cloth used for sail making.

Mr. LA FOLLETTE. That is true.

Mr. ALDRICH. It was a peculiar cloth, which was woven for that purpose. In recent years, more especially in the last year, they have been importing fine fabrics for women's dresses, for instance, a fabric which was never intended to be covered at all by the description of cotton duck originally. They have been importing, as I said before, casings for lining of bicycle tires and automobile tires. They have been importing both these classes of goods, and it is to cover these finer fabrics which are imported as duck for the purpose of evading the duty that the committee struck this out and proposed to put it in the countable paragraph.

Mr. LA FOLLETTE. If the Senator will permit me a moment, there could not have been very much fine duck for ladies' dresses imported, because the importations, as shown by the table of imports, have not overrun about \$15,000.

Mr. ALDRICH. That is where the Senator from Wisconsin is very much mistaken. In 1908 the imports were 462,000 square yards, valued at \$173,000, while the year before they were only 88,000 square yards, valued at \$15,000. The importations, in other words, went in the last year from \$15,000 to \$173,000, showing that—

Mr. LA FOLLETTE. May I inquire of the Senator from what he reads?

Mr. ALDRICH. I am reading from the report of imports for the year 1908.

Mr. LA FOLLETTE. What paragraph?

Mr. ALDRICH. On this paragraph.

Mr. LA FOLLETTE. What page of imports and duties?

Mr. ALDRICH. I think it is not printed in all of the documents. These figures have been collected by me from the importations for the year 1908, which have not yet been published.

Mr. LA FOLLETTE. But, Mr. President—

Mr. ALDRICH. They are published in separate form.

Mr. LA FOLLETTE. On page 255 of "Imports and Duties," under Table No. 1121, entitled "Duck (acts of 1894 and 1897)," the total imports are given for the years from 1895 clear down to 1907. The imports for 1908, of course, are not given here.

Mr. ALDRICH. They were not available when that was prepared.

Mr. LA FOLLETTE. I presume not; but for a series of years they ran from twelve thousand to fifteen thousand dollars. The importations coming in under that paragraph were never of great value in all that period of time, nearly eleven or twelve years.

Mr. ALDRICH. That is perfectly true; but, as I said recently, the last year a new class of articles entirely has begun to be imported under the name of duck which never ought to have been classified as duck. Therefore it became necessary, in the opinion of the committee, to strike out this provision of law so that this cloth would be imported as it ought to be, according to its fineness and weight.

Mr. SMOOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LA FOLLETTE. I do.



Mr. SMOOT. I assure the Senator from Wisconsin that common ordinary duck will now come in under paragraph 314, under the countable clause, and it will not exceed 35 per cent ad valorem.

Mr. LA FOLLETTE. You say it now comes under paragraph 314?

Mr. SMOOT. No; it will when this bill becomes a law.

Mr. LA FOLLETTE. I know the Senator from Utah has a good deal of familiarity with the trade and with the mercantile business. Can he tell me what the count of common duck is per square inch?

Mr. SMOOT. The ordinary count is 100 to 150. Under the paragraph that will not carry more than 35 per cent ad valorem. It is the common, ordinary duck which the Senator speaks of?

Mr. LA FOLLETTE. Yes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The paragraph as amended was agreed to.

The PRESIDENT pro tempore. The next paragraph passed over will be read.

The SECRETARY. The next paragraph passed over is paragraph 330, which, amended, is as follows:

330. All articles of cotton cloth, whether finished or unfinished, and all manufactures of cotton, or of which cotton is the component material of chief value, not specially provided for in this section, except such as are composed in part of flax, hemp, or ramie, 45 per cent ad valorem.

The PRESIDENT pro tempore. The question is on agreeing to the paragraph as amended.

The paragraph as amended was agreed to.

Mr. ALDRICH. In accordance with the notice given by me, I now move that the Senate adjourn; but before the motion is put, I will say that we will take up Schedule K to-morrow morning.

The PRESIDENT pro tempore. The Senator from Rhode Island moves that the Senate adjourn.

The motion was agreed to; and (at 10 o'clock and 7 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 8, 1909, at 10.30 o'clock a. m.

## HOUSE OF REPRESENTATIVES.

MONDAY, June 7, 1909.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

### THE JOURNAL.

The SPEAKER. The Clerk will cause the Journal to be read.

Mr. MACON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MACON. To make a point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] There are 202 Members present, a quorum, and the Clerk will proceed.

Mr. MACON. Mr. Speaker, I do not know whether the House will sustain me or not in a call for tellers, but I would like to know whether there is really a quorum present; the Speaker may have unintentionally counted some of the officers of the House who are standing around.

The SPEAKER. Two more Members have come in, and the Speaker did not count himself, and that makes three more.

Mr. MACON. Mr. Speaker, if the Chair insists that a quorum is present, I will withdraw the request for tellers.

The Clerk read the Journal of the proceedings of last Thursday. The Journal was approved.

### CALL OF COMMITTEES.

Mr. PAYNE. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from New York demands the regular order. The Clerk will call the committees.

The committees were called.

### LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. HAWLEY, for one week, on account of important business.

To Mr. THOMAS of North Carolina, indefinitely, on account of sickness in family.

### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Vice-President had appointed Mr. SIMMONS and Mr. GALLINGER members of the joint select committee on the part of the Senate, as provided for in the act

of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Commerce and Labor.

### PORTO RICO.

Mr. PAYNE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the Porto Rican bill (H. R. 9541); and, pending that, I want to say that on Thursday last it was agreed by unanimous consent that general debate might proceed for the day and also that the gentleman from Missouri [Mr. BORLAND] might have thirty minutes and the gentleman from Texas [Mr. SLAYDEN] fifteen minutes of debate upon amendments. Of course, the House adjourning without going into Committee of the Whole on Thursday, that order as to general debate is off, and gentlemen who desire to address the committee on the subject of the bill can not do so unless we give them unanimous consent now. Therefore, in order to accommodate gentlemen, I ask that the time for general debate be extended for an hour and a half, and the same time be allowed to the gentleman from Missouri [Mr. BORLAND] and the gentleman from Texas [Mr. SLAYDEN] as was allowed on Thursday.

Mr. CLARK of Missouri. Mr. Speaker, I will say that the gentleman from Missouri [Mr. BORLAND] is not here now. If it should turn out that some other gentleman wanted Mr. BORLAND's thirty minutes, I would like to have an arrangement to that effect. I do not know that anybody will want it. I will take forty-five minutes of the time and the gentleman from New York forty-five minutes of the time.

Mr. PAYNE. Suppose we take two hours, which, I think, will cover it all.

Mr. CLARK of Missouri. Very well.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate be confined to the bill and be extended for two hours, one half to be controlled by the gentleman from Pennsylvania [Mr. OLMSTED], and the other half by the gentleman from Missouri [Mr. CLARK].

Mr. COOPER of Wisconsin. Mr. Speaker, I have notified the gentleman from New York that I should desire a few minutes upon the bill.

Mr. PAYNE. How much time does the gentleman want?

Mr. COOPER of Wisconsin. Not to exceed ten minutes. Perhaps I will not take that.

Mr. PAYNE. Then, Mr. Speaker, I modify the request so as to allow ten minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. GARRETT. Mr. Speaker, will that cut off the regular five-minute debate?

The SPEAKER. It will not.

Mr. CLARK of Missouri. I want it understood that the speeches are to be confined to this bill.

The SPEAKER. That was the request.

Mr. PAYNE. I will modify the request, so that the remarks shall be confined to the bill.

The SPEAKER. Is there objection to the request, as modified, of the gentleman from New York?

There was no objection.

The motion of Mr. PAYNE was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TOWNSEND in the chair.

Mr. OLMSTED. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I want to speak directly on this bill and urge the Members of the House to remain here to-day, as notice has been given that we must have a quorum in order to pass the bill. It is quite necessary that every Member should remain here so as to sustain the quorum. We already have agreed to a debate of two hours and ten minutes, but it may not go through that time, and we may be voting on amendments. I hope that gentlemen will forego any pleasure they may have outside, and that all gentlemen, including the gentleman from Pennsylvania, will stay here until the bill is finally disposed of.

Mr. OLMSTED. Mr. Chairman, the immediate difficulty which confronts us arises from the fact that the legislature of Porto Rico, at not only the regular session but also at an extra session called for the purpose, has adjourned without making the necessary appropriations to meet the current expenses of running the government and meeting its legal obligations for the fiscal year which will begin July 1, 1909. It is the object of the pending bill to remove that difficulty by providing that the appropriations upon which both houses of the insular legislature did agree for the current fiscal year shall be considered as reappro-

printed and used for the payment of the necessary expenses until such time as the legislature shall act in the matter of appropriations, whereupon this bill will, by its terms, cease to operate.

But back of this particular difficulty, and in a measure accounting for it, lie other difficulties which in the near future Congress will undoubtedly find it desirable to consider. Those difficulties and the legislation necessary to remove them it is not my purpose to discuss at this time. But some statements have been made upon this floor and elsewhere to which I may be pardoned for referring briefly.

The so-called "Foraker Act," passed by Congress in 1900, provides a legislature for Porto Rico. If the two houses were to meet in joint session, there would be found 40 natives and 6 Americans. Of all the public officials in Porto Rico, about 85 per cent are natives and only about 15 per cent Americans, and yet the gentleman from Colorado [Mr. MARTIN] and the gentleman from Arkansas [Mr. MACON] are pleased to say that we have furnished to that island a carpetbag government. The 6 American members of the executive council, or Porto Rican senate, were nearly all, and, I think, all of them, selected by President Roosevelt after a conference with Mr. Taft, then a member of his Cabinet and now President of the United States. They were selected with great care. They are men of learning, wisdom, experience, and patriotism. They are men of affairs, and had been for some time familiar with Porto Rican matters. They have all been there long enough to acquire the ability to read, write, and speak the Spanish language. Of course they look after the interests of the United States. It is their duty to do so. It is equally true that they have the best interests of Porto Rico at heart. They could have no earthly reason for wishing to oppress those people or to deny to them anything which might be for their real benefit. They have never been accused of lack of ability or of unfairness, or even of arbitrary action until the present controversy arose. The only charge now is that the executive council, or senate, will not pass certain bills which the lower house desires to have passed. The bills in dispute are not appropriation bills. They do not form part of any appropriation bill. There is no serious dispute about the appropriation bills. If we are correctly advised, the lower house will not pass any appropriation bills at all because the upper house will not pass certain other desired bills.

The house of delegates desires an agricultural-bank bill. The senate opposes, because, it says, it would require \$2,000,000 of capital, and they have not the money. The house desires 66 judges or justices made elective. The senate is willing to compromise on 47, but will not stand for 66. There are other and more serious matters, to which I shall presently refer.

Each party to the controversy has set forth its side of the case to the Federal Government. The house of delegates sent three commissioners to Washington to take up the matter with the President and Congress. They have addressed to us a pamphlet, of which I hold a copy in my hand. Upon the outside cover I find this:

SIR: The undersigned, as representatives of a people in servitude, beg of you, their representatives of a free people, that before casting your vote in Congress on the question of Porto Rico you read these short pages and be convinced that we are simply asking for our rights and appealing to your sense of justice.

L. MUNOZ RIVERA,  
C. COLL CUCHI,  
EUGENIO BENITEZ.

*Commissioners of the House of Delegates of Porto Rico.*

Upon the fly leaf there is a single paragraph, giving us to understand—

One million souls are living in Porto Rico in an unbearable state of tyranny under the folds of the American flag.

I hold also in my hand a copy of *Revista de Puerto Rico* (the Porto Rico Review) of April 10, 1900. The motto of this paper, as stated upon its first page, is "El ideal de Puerto Rico es ser estado" (ultimate statehood for Porto Rico). This paper, in its leading editorial, says:

Why misrepresent? If some reported expressions made by the commissioners of the lower house to the newspapers in New York are true—and they probably are—we are afraid that our representatives are fast becoming fit candidates to take high places in the Ancient Order of the Sons of Ananias Society.

This editorial then proceeds to say some very personal and uncomplimentary things about the members of the commission, and to quote some still more uncomplimentary things which, it says, the members of the commission have written, printed, or spoken concerning the people of the United States. I shall not repeat them.

In their pamphlet they say that England, Russia, and France all own and oppress slaves, and that we, in supplanting the Spanish Government and giving them the Foraker Act, have reduced them—the Porto Ricans—to the sad condition of a people in servitude."

Then, under the caption "Self-government," they endeavor to convince us that the system in force in Porto Rico when General Miles landed there in 1898 was vastly more liberal in its terms than the Foraker Act. But they do not seem to understand exactly what form of government was in force there at that time. They say, on page 7 of their brief, that they had "an insular senate composed of 15 members, of which 8 were elected by the people and 7 appointed by the King of Spain;" and on page 24, regarding the council of administration (the senate), they pretend to quote article 5 of the royal decree of November 25, 1897, as follows:

ART. 5. The council shall be composed of 15 members, of whom 8 shall be elected in the manner directed by the electoral law and 7 shall be appointed by the governor-general, acting for the Crown, from among such persons as have the qualifications specified in the following articles.

The decree, however, does not read that way. According to the translation it reads quite differently.

Mr. EDWARDS of Georgia. Will the gentleman yield there for a question?

Mr. OLMSTED. Yes.

Mr. EDWARDS of Georgia. Whose pamphlet is this from which the gentleman is reading?

Mr. OLMSTED. The pamphlet is signed by the three commissioners, whose names are L. Munoz Rivera, C. Coll Cuchi, and Eugenio Benitez, commissioners of the house of delegates. As I stated, they have erred in quoting the royal decree of 1897. According to the translation on file in the Division of Customs and Insular Affairs here in Washington, it reads this way:

ART. 5. The council shall be composed of 35 members, of whom 18 shall be elected in the manner directed by the electoral law and 17 shall be appointed by the governor-general, acting for the Crown, from among such persons as have the qualifications specified in the following articles.

It would thus seem that these commissioners were mistaken just 20 in the number of senators.

As to the lower house, the royal decree did not fix 32, as they state, but did provide 1 for each 25,000 inhabitants. One might be led to suppose from the reading of this pamphlet that the Porto Ricans had lived under that form of government for a long time and found it very delightful; but everybody knows that the royal decree of 1897, which applied to Cuba as well as Porto Rico, was intended as a mere temporary makeshift until the Government of Spain could accomplish their pacification.

As matter of fact, the decree of 1897 was hardly in operation at all. In his report of December 30, 1898, Mr. Henry K. Carroll, special commissioner to Porto Rico, said of the constitution or decree of 1897:

This constitution was promulgated in Porto Rico on February 11, 1898, but was never fully installed. The war intervened, and the provincial legislature, which was its most important feature, was dissolved when Sampson's fleet appeared, and the governor-general conducted the government practically on the old plan.

I should like to hear from these commissioners how the people of Porto Rico liked the "old plan," and how much of liberty and how much of self-government they enjoyed under it.

The form of government in Porto Rico was changed every few years pretty much according to the whim or caprice of the Spanish Crown; as, for instance, by the royal decree of September 12, 1870, and the decree of January 4, 1883. A provincial law for the island was passed by the Spanish Cortes and approved March 15, 1895, and as of the same date several royal decrees were issued in pursuance thereof, changing the form of government in the island. The Spanish Cortes passed another law for the government of the island, approved by Her Majesty December 31, 1896, declaring all former provisions and laws relative to the provincial government repealed. The laws or constitutions of 1895 and 1896 both provided a very meager and ineffective sort of legislature for the island in the form of a so-called "provincial deputation," composed of 12 members. The governor-general, however, was not very much bound by any legislation that they might adopt, and had power to suspend not only their orders, but also to suspend the deputation itself, after allowing a hearing to the board of authorities, which was composed of certain officers, or without that requisite he might order, of his own accord, a suspension of individual members of the provincial deputation, "provided there remains a sufficient number of them to deliberate," and a deputy so removed by him could not be reelected until after six years. When a deputy had been so suspended, the governor-general was empowered to temporarily fill the vacancy with any person who had previously held the office by election.

The provincial deputation had very little power over the purse. They were authorized and required to prepare a budget and forward the same to the governor-general three months before the commencement of the fiscal year, but the governor-general was not bound by their action, and decided matters for



himself, the provincial deputation having the right of appeal from his decisions in matters pertaining to the budget. They were permitted to present to the governor himself an appeal from his decision, but he was to forward it to the colonial secretary at Madrid, whose decision was final.

There was, in article 78 of the Spanish law of 1896, a distinct provision that—

If the budget should not be approved at the beginning of the fiscal year, the previous budget shall remain in force in its necessary parts.

I find as far back as the constitution of September 12, 1870, in article 27, a provision that—

If, for any reason whatsoever, the Cortes failed to authorize any year the budget law for the colonies, the immediate previous law shall obtain.

Under Spanish rule the provincial legislature might prepare budgets, but its action amounted to little more than a recommendation. The Spanish Cortes or the Spanish authorities had the ultimate power over the purse. Even under the decree or constitution of 1897 there was reserved to the Spanish Cortes the right and duty of declaring what expenses should be obligatory and of fixing the amount every three years.

We have given to the provincial legislature, constituted under the Foraker Act, the absolute right to make their own budgets and their own appropriations—in short, have given them absolute power over the purse. We do not take that away at all by this bill. We provide merely that if they do not legislate for any fiscal year the budget for the preceding year shall remain in force. Before our occupancy of the island the budget of the preceding year always remained in force in the event of failure to approve a new one. We have inserted similar provisions in the constitutions of the Philippines and of Hawaii. There is not the slightest danger that applying the same principle to Porto Rico will reduce the people of that island to a condition of servitude. If it does, they can escape from that servitude at any time by getting together and passing the necessary appropriation bills.

Under the old plan of government in force in Porto Rico prior to American occupation, the governor-general appointed by the King of Spain was pretty much the whole shooting match.

Mr. GARRETT. Will the gentleman permit?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Tennessee?

Mr. OLMSTED. Assuredly.

Mr. GARRETT. I desire to ask the gentleman if it is not true that under the Foraker Act power is reserved here in Congress to repeal and suspend acts of the present legislature in Porto Rico?

Mr. OLMSTED. I have no doubt that under the language of the act Congress has the supreme power, but it has never exercised it and it has never placed any such arbitrary power in the governor of Porto Rico.

Mr. GARRETT. I am not controverting much what the gentleman says, but, as a matter of fact, the Foraker Act reserved the power in Congress.

Mr. OLMSTED. It is true.

Mr. GARRETT. So, while under the Spanish Crown power was vested in the governor, under the act here the power was vested in the legislative body of this country.

Mr. OLMSTED. That is true; but there the governor could suspend at once. It may be that—

Mr. GARRETT. It was never exercised under their authority.

Mr. OLMSTED. I think it was. There was very little power and very little governmental authority in the Porto Ricans themselves. Now, let us see what we have done for them since the American occupation. We have given them a congress, or legislature, of their own, of which 6 members are Americans and 40 are natives. We have turned into their treasury about \$3,000,000 in cash, the amount of duties collected in the United States on Porto Rican products after the Spanish evacuation. We have given up about \$15,000,000 annually of our own revenues so as to allow the free admission of their products into the United States. We gave them \$200,000 to relieve the cyclone sufferers. The United States pays out of its own Treasury the whole cost of the Porto Rican regiment, which constitutes the local army, and also of the revenue vessels, the light-house service, the coast surveys, the harbor improvements, the marine-hospital service, post-office deficit, weather bureau, and the maintenance of the agricultural experiment stations.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. OLMSTED. I will.

Mr. HUMPHREYS of Mississippi. Just for information. The gentleman says we paid a part of their postal expenses.

Mr. OLMSTED. To make up the deficit.

Mr. HUMPHREYS of Mississippi. And they paid the rest out of their treasury?

Mr. OLMSTED. We made up the deficit.

Mr. HUMPHREYS of Mississippi. They paid the rest out of their own treasury?

Mr. OLMSTED. No. Whoever uses the mails pays it. All this is done at no expense to Porto Rico. The good roads in the island have been quadrupled. The value of real estate has been trebled. The cause of education has prospered as never before. Before we landed there they expended about \$35,000 a year for education; under the present government, about a million dollars a year. All these added expenses and valuable improvements we made possible without running them in debt. The revenues of the island still exceed its expenses. We have doubled their commerce—particularly their over-seas commerce.

The Porto Rican legislature now has substantially all the powers of a state legislature in America. The laws under which those people are living have been made by their own legislature, under a constitution guaranteed to them by the act of Congress. We have never attempted to annul or revoke a legislative act of their making. Never before in the history of the island did those people live under laws of their own making. We have improved their condition in every way from the standpoint of education, of finances, and in the direction of self-government.

As the President has well said in his message—

Porto Rico has been the favored daughter of the United States.

We have, in fact, been giving her a "joy ride" for the past nine years or more, and believe that the people generally appreciate their blessings. But these three commissioners of the house of delegates, for reasons of their own, style them "a people in servitude," and "living in Porto Rico in an unbearable state of tyranny under the folds of the American flag." There never was a charge more unjust or more baseless. The people of Porto Rico never in their lives were so far from servitude as they have been since the American occupation and are to-day.

Mr. KEIFER. I want to ask the gentleman a question with reference to the bill, if he will allow me.

Mr. OLMSTED. Certainly.

Mr. KEIFER. I do not wish to take any particular time. I notice in the proviso that is proposed to be added to the act now in force it reads:

If at the termination of any session the appropriations necessary for the support of the government shall not have been made, an amount equal to the sums appropriated in the last appropriation bill for such purposes shall be deemed to be appropriated.

Now, suppose that the time should arrive when it is necessary to have appropriations, and that there is a session of this body going on, and no adjournment has taken place; this would not provide for that?

Mr. OLMSTED. I will state to the gentleman from Ohio that his suggestion has been covered by an amendment, already agreed to, so that it reads:

If at the end of any fiscal year the appropriation is not made.

Mr. BUTLER. Will my colleague yield?

Mr. OLMSTED. Certainly.

Mr. BUTLER. I understand that it is not proposed by this bill to settle the dispute between the executive council and the legislative body in Porto Rico.

Mr. OLMSTED. Not at all.

Mr. BUTLER. The present measure has no purpose in it except to maintain the government of Porto Rico?

Mr. OLMSTED. That is all.

Mr. BUTLER. And we do not, by passing this law, commit ourselves in any way upon the grievances existing now between the executive council and the legislative body in Porto Rico?

Mr. OLMSTED. We express no opinion upon that.

Mr. BUTLER. And these grievances, such as they are, will be the subject of consideration, probably, by Congress hereafter?

Mr. OLMSTED. In regular session.

Mr. BUTLER. We do nothing more by this bill than to reappropriate sufficient money to maintain the government of Porto Rico?

Mr. OLMSTED. Reappropriate for the ensuing year the sums which both houses of the Porto Rican legislature had already agreed upon for the current fiscal year.

Mr. BUTLER. I am obliged to my friend. Not being well informed, I would not be willing at this time to attempt to settle these disputes, for fear I might be a party to injustice.

Mr. FITZGERALD. Would not there be more likelihood of Congress taking these matters up at the next session if this bill were limited to one year only?

Mr. OLMSTED. I think not.

Mr. FITZGERALD. From my knowledge of the way Republican Congresses act, I think it would.

Mr. OLMSTED. We may gather from the pamphlet submitted by these commissioners that the withholding of the appro-

priations by the house of delegates was not alone for the purpose of forcing the upper body to consent to certain bills which would put greater political power in the hands of the dominant party in the island, but also that it was for the purpose of holding up Congress—of forcing the hand of the United States; for, after discussing the situation, they say:

Therefore, a single aspect of the system is not at stake; it is the whole system: that is, the colonial policy of the United States, which you may decide in the spirit of liberty or in a reactionary spirit. The house of delegates of Porto Rico begs of you to decide it in the spirit of liberty, and that the Foraker Act be amended, because the present conflicts are due to its essential and organic defects. \* \* \*

It is not for us to suggest any specific solution to the Congress, where the wisest and most learned men of the country assemble, but it is for us to affirm in the most absolute and categorical way that Porto Rico would be satisfied with an elective council, either direct from the people or by primaries, according to your judgment and ideas, and that the chiefs of the executive departments would be appointed by the governor, with the advice and consent of the council, reserving to the latter the power of granting franchises and concessions.

Such law will have the effect of consolidating forever in the island the love for America; would revive the almost lost hopes, and give rise to a spontaneous outburst of sympathies toward the Republic, promised to them as "the redeemer, the liberator." It would destroy not only the present difficulties, but even the germs of all others in the future.

So you see, Mr. Chairman, that this sad condition of servitude, to which they claim the Foraker Act has reduced them, may be entirely overcome by giving some more offices to these gentlemen.

Now, it may be that conditions over there may be improved by some modification of the existing constitution. The executive council suggests some changes, the house of delegates suggests some changes, and the President suggests some changes. Probably some ought to be made. That is a matter for Congress to determine at the proper time, but not in this extra session, and certainly not under duress. If this action of the house of delegates and of these commissioners was taken in the hope of forcing the hand of Congress, that hope must be disappointed. We can not, for one moment, agree that, by paralyzing the arm of the existing government in the island, they may force us to hasty or ill-considered action. All that we propose to do at this time is to make suitable provision for the payment of the absolute expenses of the government.

The appropriations for the current fiscal year ending June 30, 1909, were agreed upon by both branches of the Porto Rican legislature. The effect of the pending bill will be to continue those appropriations in force—to treat the money as reappropriated—after the 30th of June, 1909, until such time as the legislature shall choose to make new appropriations. The present appropriations, having been agreed upon by both houses, can not be very far wrong, but if they are not satisfied with them they may drop their other controversies and pass new appropriation bills. This bill will not take that right from them. It merely prevents chaos from reigning in that island pending the agreement of the two houses.

This bill leaves the act of 1900 without change, except in the single particular of continuing existing appropriations where the legislature fails to act for the ensuing year. Aside from that it merely adds in the second section authority for the President to indicate one department to which all reports from Porto Rico shall be made. At present the law requires various reports to be made to various departments and great confusion exists.

The gentleman from Missouri [Mr. BORLAND] declared himself as unequivocally opposed to this bill. I asked him whether he proposed to allow the present unhappy condition to continue, or whether he had some other remedy, and if so, what. He said that he had another remedy which he would propose in due time. He has now proposed it in the form of an amendment, which concedes the necessity of the pending bill, but limits its operation to one year. If it is a good provision for one year, why not for another?

The recommendation of the President in his message is that we provide that "whenever the legislative assembly adjourns without making appropriations" the existing appropriating acts shall be continued in force. That is just what we do in this bill. The amendment should be voted down. [Applause.]

Mr. CLARK of Missouri. Mr. Chairman, I yield thirty minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, it was with extreme difficulty that I could persuade myself to entertain even for a brief instant the idea of voting for such a measure as this—to amend the fundamental law of an island separated from us by several hundred miles, and in such a revolutionary way.

If it be true that the refusal to vote this appropriation will starve out the only government in Porto Rico and compel its dissolution, I suppose it is our duty to pass the bill. While I do not like to vote taxes on any people who have no voice in the matter, and then appropriate their money, such tyranny for a

year, or even five years, is to be preferred to anarchy for the briefest period, and that seems to be the alternative. I think, however, we ought to make our action as little offensive as possible to the Porto Ricans, and for that reason I shall vote for the amendment offered by the gentleman from Missouri to limit its operation to one year.

We are evidently facing a crisis in the affairs of Porto Rico, and it behooves us, being charged with responsibility, to look carefully into the matter and make an effort, at least, to permanently relieve the situation. To that end I shall, if I find the opportunity, offer an amendment to this measure directing a joint committee to inquire into the situation and to report back a bill recommending such changes in the government of Porto Rico as will preserve order, make the people content, and develop the resources of the island. If such a report is ever made, I hope it will embody the American doctrine of the right of the governed to a full share in the government. I do not, under any circumstances, like to be engaged in this sort of legislation, but in this case it appears to be necessary whether we like it or not. We find ourselves in this undesirable situation because of mistakes made ten years ago and now, I fear, beyond recall.

#### A MONUMENTAL BLUNDER.

I do not now remember who said that in politics a blunder is worse than a crime.

Mr. GARRETT. Talleyrand.

Mr. SLAYDEN. Yes, it sounds like Talleyrand; but he was a wise man, anyhow, who observed that in politics a blunder is worse than a crime. A monumental blunder was committed when we gave way to hysteria in 1898 and interfered in the affairs of Spain and her colonies, and from that meddling a train of evil consequences, that are still at the flood, began to flow at once.

It was with reluctance that I played my humble part in that drama, and I have regretted it every day since. I distinctly then pointed out what I conceived to be the danger of meddling in Spanish-American affairs. Subsequent events have shown that I was right when I thought I saw trouble ahead. But it took no unusual sagacity to look beyond a war that could only have one ending. I apprehended that it would lead to the acquisition of a few million citizens whose society I did not want any more than they wanted mine, and my worst fears have been realized.

But, like others on that occasion, I was swept off my feet by the disaster to the *Maine*, and, for the time being, my reasoning faculties were paralyzed. We were all seized by the frenzy of war. We had the war, and now we have Porto Rico and the Philippines, and occasionally we have Cuba. And a nice kettle of fish it all is, too.

No good has come of it so far; in my opinion, none will ever come, for the union was not a natural or proper one. Up to this time, as I view the situation, we have merely increased our naval and military expenses, lengthened our pension roll, abandoned American principles, and given unsatisfactory government to the Philippine and Porto Rican people. Not a record to inspire pride, I should say.

#### CUBA.

Now, the question is, Are we to benefit by the lesson of the Philippines and Porto Rico, or shall we be driven into other blunders of this sort? In violation of solemn pledges and at the certain sacrifice of blood and treasure we are being urged to the permanent occupation of another island. From time to time the newspapers report trouble from Cuba and urge that course. Our type of civilization does not seem to attract the inhabitants of that island, and the effort to apply a Puritan code to the people of Cuba has not been entirely successful; indeed, it is clearly a misfit, disappointing to our own people and irritating to the Cubans. It merely serves to illustrate a fact that ought to be better known—that a government that suits one people is not always agreeable to another, and particularly when they are of different races. Our institutions meet our needs, but I should be slow to assert that they would suit other people.

Mr. SCOTT. Will the gentleman permit an interruption?

Mr. SLAYDEN. Certainly.

Mr. SCOTT. The gentleman has just stated that he believes our institutions are best for us, but that he would hesitate to say that the same institutions would be best for Porto Rico or Cuba. He realizes, of course, that the friction between the islanders and ourselves grows out of the fact that they desire substantially the kind of government they formerly had, with the present Porto Rican leaders in the place of the officials who were appointed by the Crown previous to the American occupancy. Does the gentleman believe that we ought to restore Spanish institutions in the island of Porto Rico, or establish



there the kind of government they had before coming under our flag?

Mr. SLAYDEN. No, Mr. Chairman, I do not.

Mr. SCOTT. Does the gentleman believe that the establishment of any other kind of governmental institutions will be satisfactory to the people for a generation or two until they have been educated up to it?

Mr. SLAYDEN. I will say that I have an amendment which I propose to offer to this bill. As an answer to the gentleman's question I will read that amendment now. But the gentleman from Kansas will understand that because I offer this amendment, and when I undertake to cure this trouble in the way I do, that I confess that I do not know just what is best to be done politically for these islanders. I hope to have the amendment adopted so that I may know. I do not agree with him that the difference between the islanders and ourselves is due to the cause he ascribes. I stated my reason a while ago, and it is more deeply rooted than any form of government.

Mr. SCOTT. I meant to express entire concurrence in the opinion just so ably presented by the gentleman from Texas. I believe, with him, that the differences are fundamental, and it is because of that that the system of government which they desire will never be such as this country will be willing that they shall have.

Mr. SLAYDEN. Now, Mr. Chairman, I will read the amendment:

That a special committee of 11, 7 of whom shall be Members of the House of Representatives, to be selected by the Speaker, and 4 of whom shall be Members of the Senate, to be chosen by the President of the Senate, be authorized and directed to investigate in the island, by public hearings or otherwise, the political and economic conditions in the island of Porto Rico, and report to the Sixty-first Congress not later than February 1, 1910, what, if any, change should be made in the act of April 12, 1900, and amendments thereto.

That is to say, the Foraker Act. I would like to say that I have submitted this amendment to the representative of the people of Porto Rico, the only voice here which may be truly taken as the voice of Porto Rico itself, and he assured me this morning that if this amendment was incorporated in the bill he should vote for it if he could, and that he would support it by his voice. I do not know whether the date I have taken is the proper one or not, but that is a minor detail that can be easily corrected. The gentleman from Kansas is much better informed as to that than I am. The purpose of the amendment is to learn what is necessary to restore order and develop the island. I recognize the embarrassing situation that we are in, and I want to do what is best for my own country primarily, and then what is best for Porto Rico.

Mr. GARRETT. I want to suggest to the gentleman that I am heartily for his amendment, but I believe the amendment ought to go far enough to say that the commission shall have the power to send for persons and force them to attend the hearings. I think that should be inserted, if it is not implied, in the gentleman's amendment.

Mr. SLAYDEN. I assume that it was implied, but I would be glad to accept a modification if necessary so as to cover the suggestion of the gentleman from Tennessee.

Mr. Chairman, I was trying to discuss the fundamental differences between those islanders and ourselves, and I was speaking with particular reference to the island of Cuba and the fact that we are urged to go back there. We are told every day that the new administration in Cuba is a failure, that it does not appreciate its responsibilities, that it is recklessly extravagant, that it wastes money in bribing bandits to be good, that it gives more attention to cock fighting than to commerce, and so on through a long list of national misdemeanors.

Mr. Chairman, I am suspicious of the origin of this propaganda, for propaganda it clearly is. It sounds very much like the talk I heard in Cuba years ago from American and other foreign land owners who wanted the free markets of the United States for the produce of their plantations and the increased value to their lands that they thought a transfer of sovereignty would bring them.

Certain sugar and tobacco growers down there, regardless of the interests of the people of this country, and inspired only by the basest selfishness, looking only to personal profits, persistently declare the incapacity of the Cubans to conduct their own affairs, and predict with a regularity that indicates concerted action the return of the soldiers of the United States. They want it done, so they say it will be done, and I believe that they would not scruple to bring it about by any method that offered, even though it involved treason to the Cuban Republic. All patriotic Americans should pray that never again will the blue uniform of our soldiers be seen on the island, for a permanent political association will be bad for both people.

#### RACE DIFFERENCES.

Mr. Chairman, these chronic troubles in Porto Rico, the Philippines, and Cuba transcend in importance the irritation that comes from the pressure of an unpopular statute. They come from a fact that is deeper and more abiding than any mere form of government. They remind us, or they should, that they and we are of different races and that in the very nature of things we can never view such affairs as government and society in the same way.

#### MIXED ISLANDERS.

We are mainly Anglo-Saxon, while they are of a composite structure, with liberal contributions to their blood from Europe, Asia, and Africa. They are largely mongrels now, as we will surely become in time if we do not shut out the undesirable immigration from Europe and Asia that threatens to overwhelm us. They do not want our guidance, and I doubt if we can guide them successfully. Nothing has ever happened to encourage the belief, and I do not see how we can hope to succeed where others have failed. Nothing in our history suggests that we are especially gifted in the solution of such problems. History tells us that distinct, radically different races have rarely if ever dwelt together in political harmony. We have our view of government and they have theirs. I know that ours suits us best, but I should hesitate to say that it would suit them best. Indeed I do not believe that it would, and that is one of the many reasons why I regret that we ever left the continent of North America for the purpose of acquiring territory or political control over other and a different sort of people. Great Britain is the nearest parallel the world offers us, and England has trouble in the East Indies all the time. Then her West Indian colonies have for years fluctuated between distress and disaster. Her African colonies, despite the gold mines, have produced more discord than wealth. Enough good English blood has moistened the burning sands of Africa to fertilize with energy every acre of her great Northwest Territory, and build up a mighty commonwealth of white Anglo-Saxon people in a climate and environment that suit them. And all because men of one race have tried to impose government on another and without the consent of the other. The sacrifice has been out of all reasonable ratio to the gain.

How can we hope to escape the penalties that have been imposed upon other branches of our race when we commit the same political blunders?

#### HOME TROUBLES.

Every day here at home we have troubles enough of this kind to occupy our attention. They are important enough to tax the resources of the wisest statesmen. The recent railway strike in Georgia was not a question of wages or of hours. It was a race issue. Not especially important in itself, it was of vast importance as a symptom. It indicated a deep-seated malady, and one that should be carefully considered by the doctors of state, not impatiently, not in a partisan way, but thoughtfully and in a statesmanlike way. Nor is this trouble confined to Georgia, or Texas, or Louisiana, as some gentlemen think. It manifested itself recently in Pittsburg, when the chauffeurs who were driving the machines that were to take President Taft and his friends on a holiday excursion struck because the machine in which the President sat was being driven by a negro. That was the only reason assigned. It was a clear, sharp race issue made in the very presence of the President. The demands of the white race were yielded to in that case in Pittsburg, as, in the main, they always will be everywhere.

Such incidents as these ought to teach us the folly of engaging in further political enterprises that will bring us into relations with alien races. They show us how important it is to handle this Porto Rican question just right, and also how difficult it is.

If it is to be the fate of this Government, as it has been that of others, to rise, prosper, decay, and disappear—which I pray God may never occur—I think that the calamity will be traceable to our abandonment of the noninterference policy of George Washington.

I firmly believe that the historian of the future who will hunt for the causes of the destruction of the great North American Republic, if that disaster does overtake us, will unavoidably reach the conclusion that the downfall began with the Spanish-American war. I believe that he will find that we introduced the seed of fatal disease when we annexed the Philippine Islands and Porto Rico, when we abandoned homogeneity and harmony for race complexity and discord.

Are we wise enough to confess our blunders, to retrace our steps, and, by confining our energies to the continental territory

we now possess, develop this great Republic to a glorious destiny along the lines laid down by the fathers, who saw more clearly because they were less tempted by greed or glory?

These are small troubles that we are having with our colonies now. I do not doubt that they are forerunners of greater to come. This Porto Rican question is a sort of test of our ability to handle such problems. By wise and considerate action we may minimize the trouble, but we can hardly efface it, because it comes from fundamental differences between the Porto Ricans and ourselves. We put on them a government without consultation, and we should not be surprised that it does not work smoothly nor to the entire satisfaction of those who are its subjects.

The Foraker law has not stood the test of a real crisis. I suggest by the amendment that I offer that we go into the whole question profoundly, and with the cooperation of the Porto Ricans themselves we may indulge the hope that we can evolve a system of government for the island that will be fairly satisfactory.

Mr. Chairman, I have already read this amendment and I want to say in closing that the gentleman from Porto Rico [Mr. LARRINAGA] has assured me that he hopes to see such an amendment put upon this bill. He believes that if we send a commission down there to investigate the conditions in the island, that commission will become convinced that radical changes should be made, and that it will submit recommendations of a useful nature that may bring order and harmony out of chaos and discord.

Mr. OLMSTED. Mr. Chairman, I yield twenty minutes to the gentleman from Colorado [Mr. RUCKER].

Mr. RUCKER of Colorado. Mr. Chairman, my distinguished colleague and friend from Kansas [Mr. SCOTT] has told you of our trip to the "Pearl of the Antilles," and has ably described to you what we saw, the pleasures of the trip, the information received, and the impressions formed. I take great pleasure in heartily concurring in and approving all he has so delightfully said, and I would not prolong the discussion upon such a simple proposition as the one now before the House but for some things that have been said by other Members of this body, intentionally or otherwise, looking toward reducing this question to a political phase. I never supposed for a moment when I became a Member of this great body that every question that might come before the House should necessarily be classed as a political one. I never voted the Republican ticket in my life, yet I was compelled the other day to cast the only Democratic vote on this side of the aisle, not only once but thrice, for the purpose of having this bill disposed of in an orderly manner under the rules of the House.

If my friend from Kansas [Mr. SCOTT] and I had been as fortunate in gathering information concerning the conditions of the island of Porto Rico upon our visit as some of these gentlemen were unfortunate in getting misinformation, and preparing their remarks upon this question with a view of giving it a political cast, and, by innuendo, at least, if not directly, besmirching the character of the able representatives of this Government down there, then indeed, though we believe our intrenchment strong, veritably we would be ensconced behind a Gibraltar rock.

This is not a political question, and no ingenuity coming from the ablest upon this side can make it such in the sense sought by some of the gentlemen who have spoken to the amendment. The American-Spanish war was not fought for the purpose of conquest. It was wholly humanitarian in its object. A butcher of human beings was fast exterminating a race of people 90 miles away from our shore. We would soon have had a parallel to what that same nation did to the peaceful and unoffending natives of the island of Porto Rico some four hundred years ago. When Ponce de Leon landed in 1508 in that island there were 600,000 docile, intelligent, and happy people. In 1544 all had perished from the face of the earth through the brutality and butchery of that foreign foe until there were, at the latter date, but 60 living, counting men, women, and children. Think of it! In thirty-six years 599,940 people had been exterminated by this cruel foreign nation. A Christian, enlightened, and patriotic people did not propose that history should repeat itself in Cuba, and it did not. I am proud of the fact that I belong to a political party which responded with alacrity to the tocsin of war. When the tension became so great that delay in action meant cowardice and desertion of Christian principles we sent to the front from the South such men as "Fighting" Joe Wheeler, Gen. Fitzhugh Lee, and other ex-confederate soldiers, and from the younger Democracy, such as the son of a confederate officer, and whose intrepid undertaking in the harbor of Santiago won for him the laurels of a hero as enduring as

the annals of American history [applause]—RICHMOND PEARSON HOBSON, our able and distinguished colleague from Alabama, whose seat is to my right; and from our party of the North such patriots as our gallant leader in three of the greatest political battles our country has ever known—Col. William Jennings Bryan, of Nebraska. [Applause on the Democratic side.]

Now, Mr. Chairman, I have no special interest in this question. It is solely based upon my obligation as a Member of this Congress. The State which I have the honor in part to represent has possibly less interest in the products of the soil of Porto Rico than any of her sister States, and I am not unmindful of the fact that each Member of this Congress, regardless of special interest, has at heart with me the enactment of laws that will best serve every country where our flag kisses the breezes, whether it be in the frozen zone of the North or in the Antilles, the land of perfume and sweet-throated nightingales and the home of the Southern Cross. I say the State from which I come has but little commercial common interest with that island. Our cigars and tobacco come from a shorter distance and cost us less. Their pineapples and coconuts must come via New York, and that distance makes their use prohibitive. Their coffee is equally a foreign product. Their sugar can not come for the same reason, and besides, as between our woman's suffrage on the one side, and our constant increment of Kentucky and Missouri citizens on the other, sugar, as formerly used as a necessary ingredient in the favorite concoction of our newly acquired residents, has long since become nearly obsolete [applause], but if it were in much greater demand it could be abundantly supplied from the output of beet sugar in our own glorious and fertile State. It is true that there are large irrigation enterprises projected in Porto Rico, but we find a compensation in the fact that if our recently affiliated citizens from those splendid Commonwealths named should ever have the unusual desire to assimilate water, it goes without saying that they could be more than supplied from the never-ceasing flow of Colorado's own incomparable irrigation system. [Laughter and applause.]

No, Mr. Chairman; the whirlpool occasioned by the sinking of the *Maine* in front of Habana had not yet lost its bubbles when the mind of every American citizen was directed to the inquiry, "Why was the *Maine* there?" Those brutalities had gone on for years and years in Cuba, and the conscience of the American people had not up to then been sufficiently aroused to do what it should have done long before. The smoke of the guns of Dewey at Manila, of Sampson and Schley before Santiago, and of Sampson in front of Morro Castle in San Juan had not disappeared when every American citizen, regardless of politics, and, in fact, every foreign nation, realized that, as of right, the rule of Spain on this continent had come to an end. [Applause.] The possession of the island of Porto Rico by this Government was a mere incident to this great international tragedy. Spain had practically deserted her. The island was at the mercy of any or all national cormorants, and the Porto Ricans had the choice of declaring under what flag they would cast their lot. They chose ours with entire unanimity. Spain yielded without a murmur, and all the nations of the world acquiesced willingly, so that Porto Rico is ours incontestably. Concerning that question there never has been a division of opinion between the Republican party and the Democratic party, nor is there now. Hence, if a political question arises between the Democratic party and the Republican party, it is of necessity on account of the form of government which this country has provided for Porto Rico; and it is perfectly apparent from the remarks that have already been made upon this amendment that this is the crucial question to be hereafter dealt with, and for its intelligent solution we should know the history of this people—their environment for hundreds of years, their disposition, idiosyncrasies, and temperaments, and all other things—in contrast with a non-Latin people.

I shall not undertake to deceive my fellow-members concerning the possible import of the question raised by this amendment, as it appears to my mind, nor do I want them to deceive themselves. It has been truly said on this floor that the Foraker Act is the constitution of the island. Under its provisions 35 delegates are elected to what is known as the "house of delegates," corresponding to our National House of Representatives. The President is required to appoint 5 members to what is known as the "executive council," who, under the provisions of the above law, must be citizens of Porto Rico, and these 5, together with the attorney-general, the secretary, the treasurer, the auditor, the commissioner of the interior, and the commissioner of public education, ex officio, who are the legally constituted official representatives of the United States Govern-



ment, appointed by the President, comprise the executive council, which council occupies a relation to the Porto Rican government similar to that of our Senate, under our Constitution, to our Government. A majority of the house of delegates, from time to time, has been elected by one or the other of the political parties peculiar to the island, and at the election of 1908 what is known as the "Union party" elected all of the 35 delegates. Subsequently a deadlock occurred between the house of delegates and the executive council over certain legislation sought to be enacted, and the house of delegates, because the executive council would not yield, endeavored to disrupt the government by refusing to pass the annual budget. A special session was immediately called by the governor upon the adjournment of the regular session. This extraordinary session continued for three days, but resulted in no agreement, and the matter is now submitted to this Congress for the purpose of solution.

The question in its acute form is whether this Congress will allow the government we have established and maintained there, and by which so many Americans with their capital have found permanent footing, to be subverted. It is an all-important question from many view points. To my mind, the passage of this proposed amendment to the Foraker law, whereby the government there will be allowed to continue, is but an entering wedge to the exercise of a greater power that should be vested in the executive council, to the end that it may be a more stable government, and do not any of you doubt for an instant that the action of the house of delegates, in its refusal to concur with the executive council in passing this appropriation bill, was premeditated and fully intended to be another entering wedge to not only prevent added powers being conferred upon the executive council, but to deprive this, the parent country, of any effective voice or authority in the administration of the laws of the island. In 1904 nearly the same state of affairs occurred concerning the passage of the bill known as the "agricultural loan bill." The Republican party at that time had control of the lower house, but, having a disagreement with the executive council, refused, up to the very hour of adjournment fixed by law, to correct a clerical error in the matter of the tax upon cigars. In the bill as copied an extra cipher had been added, through a typographical error of the clerk, changing the fixed tax upon cigars so that it read "1,000 cigars" instead of "100 cigars," and it was perfectly apparent that if the house of delegates should have its way in this particular instance, nine-tenths of the revenue received from the cigar industry would be lost to the insular government. They sulked in their tents until nearly the last minute of the session before they would yield to the correction of this obvious error, and then the bill only passed in its modified form by 1 majority.

Many other illustrations of the peculiar make-up of the delegates elected by these people could be given to demonstrate their utter lack of appreciation of their duties as legislators and the requirements and responsibilities of self-government. Every time one of these political upheavals occurs stagnation in business follows, due to a lack of confidence on the part of those who have money invested as to the stability of the government; money, the biggest coward in the world, ceases to seek investment, all of which is natural enough to any thinking mind, and, but for this being an extra session of Congress, called for a special purpose, and summer being upon us, and a hot one at that, the issue is so plainly outlined and the urgency for decisive action so great that we should here and now, without waiting for the December session, thrash the whole matter out. By reason of our occupation of the island and the establishment of the government, we are under solemn obligations to our American citizens, as well as to all the nations of the earth, whose citizens have either gone there with investments or who are doing business with the island, to maintain the government in all its integrity and effectiveness. As for myself, as long as an American citizen, or a dollar of his investment, remain in the island, my mind is made up to support any suggestion for greater and continued security to that citizen and his interests, whether that suggestion originates from a Republican or a Democratic source. [Applause.] I am not unlike the old justice of the peace down in CHAMP CLARK'S county, who, after some days had been consumed in the introduction of testimony and arguments of counsel in a certain case and the time had arrived for a decision, straightened himself back in his chair and said: "Gentlemen, there are many complicated facts in this case, and as many more knotty propositions of law, and, in obedience to my conscience and oath of office, I must take this case under advisement until next Tuesday morning at 10 o'clock, at which time you may appear; but, in the meantime, I want to say to the plaintiff and to the defend-

ant and to their respective counsel that I will on that day and hour render my decision in favor of the plaintiff." [Laughter.]

So, however long you keep me waiting, studying, and laboring with the questions of fact and law involved, I will exercise my characteristic patience, but you are served with notice that when the hour comes I am going to vote for the committee amendment [applause], and I will now, as briefly as I may, give some additional reasons for that vote.

When Ponce de Leon entered upon his career of pillage, plunder, and murder of the early inhabitants of the island his companions were men who were the riffraff, adventurers, and pirates of Spain. The galley slaves were allowed to lay down their oars and the prison doors were thrown open for recruits. Then followed promiscuous cohabitation between these undesirable banished citizens and felons with the native women. After a while women, the wives and friends of that delectable crew, came over and another cross in the human family was the result. In 1515 negro men slaves were introduced, and another cross ensued. Then the negro slave woman was brought in, and another admixture and cross followed. The French and English and Santo Dominicans and Venezuelans furnished their quota in turn, first their men and afterwards their women, and thus admixture after admixture, cross after cross, far beyond the multiplication table, is the unreadable genealogical tree of the island. Only thirty-six years ago the negro slaves in the island were emancipated.

Whether or not they were the most ignorant of the mixture, they unquestionably were the hardest and the most robust, and better adapted to the climate—more prolific in the raising of children, for their prepotency is shown in the indelible impress made upon the race of people found there on July 25, 1898, when it became our possession. That, remember, was not quite eleven years ago. At that time the English language was scarcely known in the island, and, as the President said in his message advising Congress to pass this amendment, 87 per cent of the million people could neither read nor write their own language, and it is perfectly safe to say that to-day not as many of the native voting population can either read or write either their own language or ours; and it can be furthermore fairly said that more than 60 per cent of these native voters are colored people. Marriage among the natives is still a luxury indulged in by very few, but race suicide is not seriously threatened. On the contrary, the production of children, especially of the dark color, is largely on the increase. It costs nothing to raise them, either as respects food or clothing. The country ones are naked until they reach the age of 10 or 12 years, and thereafter they are but little better clad. Their food consists mainly of the windfalls of fruit and refuse, if they can beat the dog or the hog to it. [Laughter.]

In 1896 it was estimated by the shoe manufacturers and merchants that 700,000 of the population out of its 1,000,000 wore no shoes and never had a shoe, and the till of the shoe merchant in the last four years has not been bursting its sides from the pressure of the contents within. An immediate clash of arms over the duty on shoes is not anticipated. [Laughter.] I heard no complaints from the señoritas concerning the threatened rise in the price of hosiery. [Laughter.] Apparently they had neglected to read my speech made recently in this Chamber upon that matter, or else they deemed it too immodest to refer to such a delicate question to one of my sex. [Laughter.]

Judging from the great number of children going to school, and from what I was told, they are quick to learn. I objected to Mr. Dexter, the able and conscientious commissioner of education, who is an old acquaintance of mine in Colorado, that I thought it a great mistake to instruct the children in Spanish, because they would naturally use their mother language whenever they could, and as little English as they possibly could. I recited to him the fact that I had been most diligent in my efforts to get any of them to say a word in English when I tried to converse with them, but had utterly failed. By way of parenthesis, while on this subject of schools, I am reminded that what the President stated in his message to Congress in this respect was, in my judgment, absolutely correct, both as to facts stated and conclusions drawn, except as I will hereafter state.

The importance of the subject dealt with by him justifies the length of the document, notwithstanding the caustic criticism of my friend and colleague [Mr. MARTIN of Colorado]. I should be open to severe criticism by my friend did I not voluntarily supply him with the ammunition he is so energetically seeking, and of which he was so sorely in need when he essayed to attack the President and the government officials of the island. I have discovered that the President made one grievous mistake of fact as regards the public-school buildings turned over by

the Spanish Government; he stated in effect that there was not a single public-school building received, and, in contrast with the conditions of the island in this respect as it was then and is now, he says we have constructed 160 school buildings. The President was mistaken. When we took possession of the island, the Spanish authorities left standing erect the tremendous number—represented by the basic numeral—of one school building. [Laughter.] And to give due credit to the goodness of women, whose especial advocate I am, this one building was even donated to the Spanish Government by a benevolent lady of San German. So it would seem a pity that my friend should not, before unmasking his batteries, have sought to find out how little information I had obtained from my visit to Porto Rico. I sincerely beg his pardon for my failure to voluntarily enlighten him on my return, but which I now, though tardily, cheerfully do in order that he may be prepared with one fact at least when he next takes the floor to discuss this amendment, begging him, however, as a testimonial of his appreciation of this favor I now extend to him, that when we go upon the hustings in the next campaign in our State he will give me due credit for this exposure of the President. [Applause.]

But to proceed seriously, these people are the most law-abiding of any of the Latin races. Their indolence is doubtless due largely to climatic conditions, their illiteracy to that and Spanish dominion and slavery, and their lack of inventive genius because of simple needs. They are inventive in nothing. "Manana" is their creed—the oldest way the best way at whatever cost of time or labor. They will walk 20 miles to sell 10 cents' worth of produce. Time counts as nothing. When night overtakes them, that place is their happy home. Their transportation is with oxen, and they are going all the time, but where and for what we do not know. Their time of starting depends upon how the oxen look and when in the course of the day they get them yoked up and their horns properly decorated with red cloth. I watched for an hour the yoking and hitching up of a pair of oxen by five men. One-third of the time was taken up by dressing their horns with red cloth. After they got them attached to the cart it was found that they would not pull because they were yoked on the wrong side. Then all had to be done over again. I did not await the result for fear that Congress might adjourn some time this autumn [applause], and I wanted to get my pay so as to get home.

On one occasion I was stopping at a hotel in Ponce and wanted a drink—of water. I called a waiter, and after five or ten minutes I made him understand what I wanted. He called another servant, and after consulting a while, the second one went after another, and after consulting with him a while, the third one went up two flights of stairs and from the balcony called down to the street and aroused another servant, who was asleep, just where I was standing all the time trying to get that drink; but in all fairness I admit I was finally accommodated. They have a ludicrous caste of distinction. It is beneath the dignity of one to do what another will willingly do, although you can observe no difference in the occupation of each. I was in company with the wife of the Hon. Charles Hartzel, a Coloradoan, the first secretary of the island after our occupation, doing some shopping. She called a boy to carry a small bundle containing one of her purchases. This boy called another boy who took the bundle from her hand; the first one took the tip for the service. Then she explained to me her great mistake. She said she had chosen in the first instance a boy of the upper class, and who was supposed to do no menial work. Both boys, however, were hatless and shoeless, and begging alike on the street, and both as black as the ace of spades. [Laughter.]

I mention these little things to convey a faint idea of the customs of our children down there, and when I say children I do not confine it to age. There is one way in which they can be made to work, and that is by holding back a part of their wages. Doctor Stephens, living at Cambridge, Mass., and who has a pineapple plantation, came up on the same boat with us. He told us of an experience he had had a few days before our departure. He had hired 25 adults to gather a certain number of pineapples. The work was getting slack and he decided that it was necessary to let 5 of them go. The other 20 immediately announced their intention to go, too. Contrary to his custom, he did not insist upon his contract by keeping part of the money back, and paid them all off. The next day but one they all returned, having walked 50 miles, in the meanwhile spending all their money, and asked for reemployment.

My attention is called by some of my Democratic brethren to our last national platform concerning Porto Rico. It reads as follows:

We demand for the people of Alaska and Porto Rico the full enjoyment of the rights and privileges of a territorial form of government,

and the officials appointed to administer the government of all our Territories and the District of Columbia should be thoroughly qualified by previous bona fide residence.

You will observe that no time is fixed for such a government, and certainly it was not the intention to do so until a stable government should be established, such a one, at least, as is provided in another plank of the platform in reference to the Philippine Islands. What I insist upon is that we would be recreant to our trust to turn this island over to the control of a confessedly illiterate class. The time may come in Porto Rico, as in the Philippines, when self-government should be given. The resolution now before the Senate of the United States, introduced by Senator STONE, of Missouri, recognizes that in the Philippines it may be fifteen years hence before the time has arrived for a change in our attitude there, and then, as the resolution provides, only when the constituted authorities of that government as then existing shall petition therefor.

So we can not get up a substantive controversy upon the construction of that plank in the platform. I do not wish to be understood as being committed for all time to the views I now present, but only as they apply to existing conditions. And, another thing, I do not wish to be understood as favoring the one or the other of the political parties in the island. In fact, my investigation and observation is that if any party is given unlimited power, whatever its complexion may be, it could at any time subvert the government, and all the evils would follow that I have undertaken to point out. With perfect accord our representatives and our American citizens there, from the date of our occupation, agree that success wholly depends upon the literate class holding the balance of power.

I rely very much upon the testimony received from the able, competent, and conscientious official representatives now in Porto Rico. They should not be referred to as adventurers, politicians, or "carpetbaggers." I have known many of them for years, and my acquaintance with their work upon the ground convinces me that they are paying attention to their work and the upbuilding of the interests of the islands and none to politics. Many of them are only too willing to pack their "carpetbags" and return to this country at the expiration of their commissions. If they have committed any error, it is my firm conviction that it was of the head and not of the heart. I fully appreciate their endeavor to stay with the hounds and run with the hare, exhibiting always a conscientious attempt to minimize differences of opinion and compromise situations for the sake of peace. If anyone will take the time to read their annual reports, it will be discovered that no suspicion can live for a moment that anything has been done by them to bring the blush of shame to any of our cheeks or to lessen them in public esteem. [Applause.]

Now, my fellow-Democrats and southern friends, you have met the ancient enemy, and now your banner may, if you will, hang on the outer wall. I have shown you who the people are in whose hands you are asked to place the control and destinies of that island. It is shown to you that they are unlike any other people on the earth as respects forebears.

It is shown to you that they have always been slaves or its equivalent, abjectly subservient to a foreign taskmaster, and hence necessarily illiterate and deficient in their own language and in ours, and doubly, hence, incapable of self-government, much less to govern others. American and other capital has been invested because our flag is unfurled to the breeze; our citizens have gone there; their children have been born there; they pray to God as we do, in edifices erected to the glory of the same Almighty, and are as much of us, and should be as much to us, as though a sea did not separate us. [Applause.] Now, will you "Do unto others as you would have others do unto you?" Will you say that these fellow-citizens shall be dominated by a race of people whose illiteracy and incompetency is as midnight to noonday's sun, compared with that class of people whom you have been for years undertaking by constitutional means to deprive of the power to politically control you? The President of the United States and this Congress stand ready to give the same character of relief by legislation to your fellow-citizens of Porto Rico that you have by law been enacting for yourselves. In this there is a plain political principle recognized that you should appreciate—"agree with thine adversary quickly." [Applause.]

In conclusion, I wish to say that I fully indorse all the President has said to you, but wish to emphasize, if possible, his utterances regarding the ingratitude of the anti-American people in the island and their utter failure to appreciate what we have done for them. The history of recent events conclusively shows that if all the atoms of gratitude they have in their souls were poured into a humming bird's quill, and with a blast furnace blown into the eye of a mosquito, it is my unqualified judgment that eye would not bat. [Loud applause.]



The CHAIRMAN. The gentleman from Wisconsin [Mr. COOPER] is recognized for ten minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, I have no speech to make, but take this time merely to state a few facts which I deem pertinent. I shall vote for this bill. It consists of two sections. The first section is an exact copy of a proviso in the bill to establish civil government in the Philippine Islands, which I had the honor, on behalf of the Committee on Insular Affairs, to report to the House in April, 1902, and which, with certain amendments, was enacted into law and became the so-called "Philippine organic act" of July 1, 1902. Here is the proviso as it appears in the Philippine act:

*Provided further,* That if at the termination of any session the appropriations necessary for the support of the government shall not have been made, an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated, and until the legislature shall act in such behalf the treasurer may, with the advice of the governor, make the payments necessary for the purposes aforesaid.

This language of the Philippine law is identical with that of the first section of the pending bill for Porto Rico.

The second section of the bill requires that—

All reports made by law or in accordance with law by the governor or members of the executive council of Porto Rico to any official of the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President, and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. GARRETT. Mr. Chairman—

Mr. COOPER of Wisconsin. I have only ten minutes, but I will yield for a question.

Mr. GARRETT. There is not any objection to that last section. But I want to suggest to my friend from Wisconsin that that last section means this: That if it passes in connection with the other part of it, there is not going to be any change in the organic law of Porto Rico within your lifetime or mine.

Mr. COOPER of Wisconsin. I will help the gentleman from Tennessee [Mr. GARRETT] to amend the Foraker law in a proper way, if we ever have an opportunity on this floor.

I have only this to say concerning the second section of the bill: On February 27, 1907, the gentleman from New York [Mr. PARSONS], a member of the Committee on Insular Affairs, of which I then had the honor to be chairman, presented from that committee a unanimous report recommending the passage of H. R. 23568, a bill which was in effect identical with the second section of the pending bill.

The gentleman from New York has given me the reason why the bill which he reported was not taken from the calendar and passed, and if he were here I should call upon him now to give it to the committee.

I have here his report made on H. R. 23568 in the Fifty-ninth Congress, which, as I said, embodies this second section. In the next—the Sixtieth—Congress the gentleman from New York reintroduced the bill, but did not press it for consideration before the Committee on Insular Affairs for the reason which he gave to me, namely, opposition, I believe, on the part of a member of the Cabinet.

I shall vote for the bill, because I think it ought to be enacted into law; but I should like it very much better if its provisions had been a part of the original Foraker Act. It looks now a little like taking sides with one or the other of these two hostile parties.

Mr. SCOTT. Can the gentleman suggest which side?

Mr. COOPER of Wisconsin. It will be so interpreted in the island. Yes; I can tell which side very easily. It will be interpreted, and I think the gentleman from Kansas can not consistently deny it, as being in support of the executive council.

Mr. SCOTT. If the entire fault of the present situation there were due absolutely to the action of the executive council, would not this measure be necessary just the same?

Mr. COOPER of Wisconsin. No, not quite as necessary; but as a matter of good policy I would very much prefer that it had been in the original Foraker Act. And I wish to say right here that the Foraker bill which became the Foraker Act was never submitted to the consideration of the Committee on Insular Affairs. It never would have been reported in that form from that committee.

The law limiting the holding of land by corporations in Porto Rico, which has been spoken about during this debate, was originally reported by the Committee on Insular Affairs as an amendment to a joint resolution to extend the time for the going into effect of the Foraker Act. It is only fair, I think, to say that I insisted that that amendment should go on, and that I appointed a subcommittee consisting of Mr. Moody—now Mr. Justice Moody of the Supreme Court—the gentleman from Indiana [Mr. CRUMPACKER], and myself, to consider that proposition. After considerable effort we succeeded in getting it

reported and into the law, and there it now is for the benefit of the Porto Rican people.

I have said all that I intended to say, desiring merely to call the attention of the committee to my attitude upon the pending measure.

Mr. GRAHAM of Illinois. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Wisconsin [Mr. COOPER] yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. I will.

Mr. GRAHAM of Illinois. Will the gentleman state how he construes the last three lines of section 2? What do you think is the meaning of the words?

The President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

That is, the executive department of the Government of the United States. What does "jurisdiction" mean there? What is the extent of control indicated by jurisdiction? Does that suspend the ordinary law in Porto Rico altogether or does it not? Does it include section 1 and that portion of section 2 preceding it?

Mr. COOPER of Wisconsin. No; I think not.

Mr. GRAHAM of Illinois. What is the meaning of it?

Mr. COOPER of Wisconsin. This being an amendment of the Foraker Act, the ordinary rule of statutory construction would require that the whole act and this amendment be interpreted together as one law, and therefore it can not be held that these last three lines would nullify the plain intent of Congress as revealed by the entire law. The intent of the Foraker Act can not be nullified by three lines saying no more than these three lines say.

Mr. Chairman, in addition to what I have already said I desire to say a word in reply to the gentleman from Texas [Mr. SLAYDEN].

The gentleman from Texas declared, or at least quite plainly intimated, that we ought to surrender the possession of Porto Rico. He discussed Porto Rico and the Philippine Islands together, a method of discussion that in many ways leads to great injustice to the people of Porto Rico. The interests of these people are not bound up with the interests of the people of the Philippine Archipelago, on the other side of the world. The Philippine Archipelago consists of hundreds of islands, whose inhabitants speak 50 or more different dialects, many of which are understood only by the particular tribes speaking them. There is no homogeneity there.

But Porto Rico is not on the other side of the world; it is at our door. The people are homogeneous. They speak one language. They are on a little territory 95 to 100 miles in length by 40 miles in width; and there is no analogy between the physical nor the political conditions of the Philippine Islands and those of Porto Rico.

There is another reason greater than the one I have indicated against the logic of the gentleman from Texas. It is found in the fact that we are always to retain Porto Rico, just as we are to retain Hawaii. Many a time and oft I have heard men say that the Hawaiian Islands are a great burden to the people of the United States and that we ought to give them up. But rightly looked at the Hawaiian Archipelago is not a burden to the people of the United States. Take your maps and see how Hawaii, with our great naval base at Pearl Harbor, will help us to defend one end of the Panama Canal, as Porto Rico and our naval bases in Cuba will help us to defend the other.

There are other unanswerable reasons why we are to retain Hawaii and Porto Rico.

Suppose we were to have a war. God forbid that we ever have another war. The United States wants peace, and only peace. But it is the duty of statesmanship to be provident of the future. Suppose that we should be driven into war with Japan or China, and that they send their *Dreadnoughts* to bombard our Pacific coast cities. We are making them impregnable to assault. Suppose these battle ships come here, and in attacking us exhaust their fuel or need repairs. Where will they secure fuel or repairs if we retain the Hawaiian Islands? They will have to go back thousands of miles across the Pacific if we hold Hawaii.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OLMSTED. I yield the gentleman five minutes more.

Mr. COOPER of Wisconsin. But they will not have to go back unless we do hold Hawaii. Looked at with the eye of statesmanship, the Hawaiian Islands are not a burden to the United States, but an asset of incalculable value, and the United States will never let them go.

Mr. CLARK of Missouri. Mr. Chairman—

Mr. COOPER of Wisconsin. Now, will the gentleman let me finish along that line?

Mr. CLARK of Missouri. I will give you five minutes of my time, if you will let me ask you a question.

Mr. COOPER of Wisconsin. Yes.

Mr. CLARK of Missouri. This is strictly for information. When they annexed the Sandwich Islands, one of the chief arguments by which they overcame the opposition was that for a comparatively small consideration Pearl Harbor could be made as impregnable as Gibraltar. Now, I want to ask the gentleman if we are really taking any steps toward fixing that harbor so that we can use it; and if so, how long before we can use it?

Mr. COOPER of Wisconsin. The last two Congresses made specific appropriations for the improvement and fortification of Pearl Harbor, aggregating upward of \$5,000,000.

Mr. Chairman, the permanent retention of the Hawaiian Islands by the United States is an assured fact. Nothing but force will ever compel this Republic to give them up. Build the Panama Canal, and do you want Porto Rico an independent power? We can not let it go to any European country. The Monroe doctrine will not permit that. Do you want Porto Rico to be an independent hostile power? With the completion of the Panama Canal, Porto Rico will become of such strategic importance as to preclude all doubt of its permanent retention by this Government.

Mr. GRAHAM of Illinois. Will the gentleman yield to a question there, which is apropos of that point?

Mr. COOPER of Wisconsin. Yes.

Mr. GRAHAM of Illinois. The gentleman spoke of Gibraltar.

Mr. COOPER of Wisconsin. The gentleman from Missouri [Mr. CLARK] spoke of Gibraltar.

Mr. GRAHAM of Illinois. Why not retain a Gibraltar in Porto Rico and let the rest of the island go? Would not that suffice for a coaling station?

Mr. COOPER of Wisconsin. It is only 95 miles by 40, and I would rather have the whole island. It is not too large for a naval base anyway, the whole island. [Applause.] I would rather have control of that little territory than to have a million people there under another government.

We want Porto Rico to help us to make the Gulf of Mexico an American lake. We want it for purposes of self-defense, and we want it for the benefit also of the people of Porto Rico. I think this controversy is exceedingly unfortunate. I think it was exceedingly unfortunate for the gentleman from Colorado [Mr. RUCKER] to speak so bitterly about the "ingratitude" of the people of Porto Rico.

Mr. RUCKER of Colorado. The anti-American sentiment of the island.

Mr. COOPER of Wisconsin. I know of no more unwise method of attempting to awaken the gratitude of a people than to speak bitterly of their ingratitude.

Mr. RUCKER of Colorado. Will the gentleman yield for a moment?

Mr. COOPER of Wisconsin. Yes.

Mr. RUCKER of Colorado. The gentleman does not want to be unfair or to misquote me, I am sure.

Mr. COOPER of Wisconsin. Oh, not at all.

Mr. RUCKER of Colorado. I said "the anti-American sentiment of the island." If you take exception to what I said, then certainly I have no objection.

Mr. COOPER of Wisconsin. Those words "the anti-American sentiment of the island," in connection with the rest of the gentleman's remarks, conveyed the impression that the sentiment of the island was anti-American. Does the gentleman mean that there is only a small proportion of the sentiment of the island that is anti-American?

Mr. RUCKER of Colorado. I do not mean to say that there is only a very small proportion of it anti-American.

Mr. COOPER of Wisconsin. Substantially all anti-American.

Mr. RUCKER of Colorado. No; I should say not. At least the intelligent portion of it is not anti-American.

Mr. COOPER of Wisconsin. If the intelligent portion is not anti-American, then the controlling portion is not anti-American, for intelligence will control there as elsewhere. They do not like some of the things which are in the Foraker Act. They do not like some of the omissions of the Foraker Act. For example, the Philippine organic act contains a complete bill of rights. It guarantees to the people in the Philippine Islands practically every right which we enjoy in any of our States except only the right of trial by jury and the right to bear arms.

But the Foraker Act contains no bill of rights for the people of Porto Rico. If the Foraker bill had gone from the Committee on Insular Affairs, it would have included a bill of rights. Such a bill for Porto Rico ought to be in the law now by act of Congress.

Mr. CLARK of Missouri. Mr. Chairman, I would like to ask the gentleman a question.

Mr. COOPER of Wisconsin. I will yield to the gentleman.

Mr. CLARK of Missouri. Does not the gentleman think this act ought to be confined to one year, as is proposed here, and then at the regular session of Congress overhaul the Foraker Act and do what the gentleman is talking about now?

Mr. COOPER of Wisconsin. There is something in the suggestion of the gentleman from Missouri, and yet, on the whole, I think that we should promptly pass the bill as it is now before us, at the same time doing our utmost to assure the Porto Ricans that we do not enact it in a hostile spirit. I do not feel like condemning the people of Porto Rico. I sympathize with them.

Mr. ESCH. Will the gentleman allow me an interruption? What effect would the granting of citizenship to the island have on the relation of the natives to the United States?

Mr. COOPER of Wisconsin. It is our duty to grant citizenship to the inhabitants of the island. There is no doubt that it would have a most happy effect. We gave American citizenship to the 200,000 people in Hawaii at the request of William McKinley. Why are not the people of Porto Rico equally entitled to enjoy this high privilege?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. CLARK of Missouri. I will yield the gentleman five minutes more, as I promised to.

Mr. COOPER of Wisconsin. William McKinley in a message to the Congress of the United States advised the extension of American citizenship to the people of Hawaii. Do you think it is right for us permanently to retain Porto Rico because of its strategic importance and forever deny any sort of nationality to those people? They are not citizens of Spain; they are not citizens of the United States; they are citizens of Porto Rico, and Porto Rico is not a nation, and they have no nationality.

There sits a man [Mr. LARRINAGA] educated in this country. I never met a higher minded gentleman. There are thousands like him in Porto Rico. Their bitterness may come, in part, at least, from a feeling of humiliation in being made political non-entities. What harm can come, if we make them American citizens? The children of our country are American citizens. The women of the Republic are American citizens. The people of Hawaii are American citizens, and the principles upon which our Government is founded will not permit us to announce our intention forever to retain Porto Rico and at the same time deny its 1,000,000 of civilized inhabitants the rights of American citizenship.

The platform on which William H. Taft was elected President of the United States demands that all the people of Porto Rico be made citizens of the United States. The national Democratic platform demands it. Theodore Roosevelt three times in his messages to Congress urged that they be given it.

But it is said that this involves statehood. This assertion need not frighten us from doing our duty. Arizona and other Territories came to us under an act which practically pledged that they should be made States, and we have kept them out of statehood upward of sixty years. Statehood for Porto Rico is not a pressing problem to-day. The statesmen of the future will know what to do if it shall ever confront them. Possible—remotely possible—statehood for Hawaii did not deter McKinley from doing what he thought his duty toward the Hawaiians, nor should we be frightened from doing our duty toward the people of Porto Rico.

To give the Porto Ricans American citizenship would not promise them the right to vote for laws to govern us here any more than it promises the women of the United States the right to vote for such laws in this Republic. There has been a confusion of ideas on this proposition, but no man can arise here and say, as a Republican or as a Democrat, that when the opportunity is presented the platform pledges to give American citizenship to the people of Porto Rico, a land forever to be retained by this Republic, ought not to be redeemed. [Applause.]

Mr. STEPHENS of Texas. Mr. Chairman, I would like to inquire of the gentleman why his party has not redeemed those pledges made to Arizona and New Mexico in two or three different national conventions, when they guaranteed they would give them statehood? Is it not a fact that the attitude of your party is the reason why statehood has not been given to New Mexico and Arizona, and have we not on this side voted solidly for it?

Mr. COOPER of Wisconsin. Mr. Chairman, one failure to do right does not justify another.

Mr. STEPHENS of Texas. We only asked you to join us on this side.



The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. OLMSTED. I yield one minute more to the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, the Committee on Insular Affairs has twice reported, without a dissenting voice, a bill to give American citizenship to the people of Porto Rico, and each time the gentleman from Pennsylvania, Mr. OLMSTED, has joined in that report.

Mr. LARRINAGA. Mr. Chairman, while I was listening to the remarks of the gentleman from Wisconsin [Mr. COOPER], I felt that I had a few ideas to present to this House on the subject he was treating, of Porto Rico being taken in as a permanent part of the Nation, for the convenience to America of holding that island in the Atlantic, as she is holding Hawaii in the Pacific—in self-defense, so to speak, as the gentleman from Wisconsin seemed to view the case. I think this will take me a little further from the main point that I wanted to make just now, inside of the time allotted to me.

Mr. COOPER of Wisconsin. Will the gentleman permit me to interrupt him?

Mr. LARRINAGA. Certainly.

Mr. COOPER of Wisconsin. I wish to say one thing that I overlooked saying, and that is that the only amendment I will be in favor of would be the amendment offered by the gentleman from Texas [Mr. SLAYDEN], to have a commission go down there. I shall not at this time vote for any amendment to extend American citizenship or to limit this for one year or anything else. I shall vote for this bill, in the hope that at the next session of Congress right will be done.

Mr. LARRINAGA. Mr. Chairman, in connection with holding Porto Rico as a permanent part of the Nation, I want to say, first, that the President is right in his message when he says that Porto Rico was taken with the consent of her people. That is true. Every Porto Rican accepted that. The gentleman from Kansas [Mr. SCOTT] the other day said he had not found a man there who spoke of not being willing to have Porto Rico a part of the United States. In that he also was right. I am standing here elected at large by over 100,000 votes, and my opinion and sentiments were known forty years before the Americans landed there. That shows, Mr. Chairman, that the people of Porto Rico are willing to form a part of this great Nation. But that people also say as a unit that the Foraker Act is an injustice to them, and that they deserve a larger measure of self government. Mr. Chairman, every time a gentleman rises here to support this bill now before the House he is supporting a bill brought about by the executive council, a bill they had in their minds from the inception of the civil government, viz, to get by law that which they have been getting heretofore by threats. They made the house pass their bills; did not accept the house bills; made the house pass their appropriation bills, threatening that Congress would do away with the rights the house had to concur in the appropriations. That, Mr. Chairman, they have done.

The willingness of the Porto Rican lower house to show the American people that they were law-abiding, that they were good citizens, has been made an argument against us. Just because we stood it for nine years, in order not to have the American people get the impression that we were unruly, that we did not deserve self-government, the argument is presented to-day that we have gone now into the hands of politicians, and that we want to pull the government down; that we are proceeding in a revolutionary way, and that our attitude is anarchistic.

There is no such thing, Mr. Chairman. In connection with that Foraker Act, so repugnant to our people, I will tell the gentleman from Wisconsin [Mr. COOPER] that the American people do not know, and I think few Members in this House know, how far the Foraker Act has gone to neutralize the usefulness of Porto Rico as a means of defense on the Atlantic coast and to impair the safety of this Nation. Let me tell you that if St. Thomas is not flying the American flag over that port it is due to the Foraker Act. That great statesman, President McKinley, and Secretary Root saw it. They saw that Porto Rico was worthless in the hands of the American people if a weak nation held St. Thomas. St. Thomas is the foremost point in the West Indian Archipelago, and is the true key to the Caribbean Sea and the Mexican Gulf and the Panama Canal.

There you have a small island, Mr. Chairman, with a beautiful harbor, dry docks, a nice population, strong fortifications, a pro-American people, and an English-speaking people, for they speak Danish and English equally as well. At all times they have been the most pro-American people in the West Indies. Their great dream was to form, one day, part of this great Nation; but when the proper moment came they refused to give their

consent to the deal proposed by President McKinley. Denmark knew of the friendly disposition of her distant subject toward the American Nation and readily accepted the bargain, but the people of the island, having represented to the King against the sale of the island, the King ordered a plebiscite of the inhabitants, that they might decide the case. The result was that the people of St. Thomas refused to become a part of the United States.

The bargain was already closed between President McKinley and the King of Denmark, and St. Thomas was to be a possession of the United States through a consideration of \$4,000,000. But what had happened? It had happened, Mr. Chairman, that the St. Thomasans, who had been very ardent pro-Americans, had seen the workings of the first two years of the Foraker Act in Porto Rico. They had seen everything that had come to pass in our island. I do not want to bring up that subject; I do not wish to recall all outrages perpetrated on our people with the acquiescence of the local authorities; but I wish only to tell this House that the greatest injury that the American Nation has received since the Spanish-American war was the failure to acquire possession of the island of St. Thomas; and having it in the hands of a weak nation, which, at a given moment, might not be able to hold it, and then Porto Rico will be powerless and useless before the occupation of St. Thomas by a strong power.

I could go further on and speak of the condition of the Hawaiian Islands in the Pacific. I am sorry to see that every time somebody rises to back the bill presented by the gentleman from Pennsylvania he brings out this little book, the constitution of Porto Rico, to try to prove that it is no good, that there was no such a thing as self-government in its provisions. I do not wish to go back to the old time of Spain. I am willing to let that pass, but in justice to my people I am bound to take up the argument, always offered, that the governor of the island was everything, that the King could annul that constitution, called the "Porto Rican autonomic constitution." I appeal to every Member of this House to ask at the War Department for a copy of this book, and study it thoroughly. I will read only three articles in connection with this constitution that I marked this morning as the gentleman from Pennsylvania was reading from it, and which will show that the gentleman is not entirely correct. Now, take page 12, in regard to the formation of the legislature. According to the Foraker Act, out of 11 members, all appointed, 6 are at the same time the heads of departments.

They are all appointed, having the power to make the laws, so that the whole legislative and executive power is in the hands of only 6 men. Now, in regard—

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. LARRINAGA. Certainly, with the greatest pleasure.

Mr. SCOTT. I think it might be inferred from what the gentleman has said that on all important questions there is a racial division in the upper house—

Mr. LARRINAGA. Not at all.

Mr. SCOTT. I would like to ask the gentleman if it is not true, on the contrary, that there has been few, if any, such divisions.

Mr. LARRINAGA. Not at all. The Porto Ricans many times vote with the Americans. There is no such thing as a racial division, but the fact of the matter is that the Porto Ricans, as a rule, in political questions want more liberal laws than the 6 Americans, who, in such cases, vote on one side; but in general they do not divide on that line. Many times bills of the lower house have been defeated in the upper house by the vote of the Porto Ricans, and at times some Americans voted with the minority of the Porto Ricans. That is the fact. Now, comparing the upper house appointed by the Foraker Act with the upper house under the autonomic constitution, article 5, title 3, of the Porto Rican constitution reads:

The council shall be composed of 15 members, of whom 8 shall be elected in the manner directed by the electoral law, and 7 appointed by the governor-general.

Mr. OLMSTED. Where does the gentleman find that?

Mr. LARRINAGA. On page 12.

Mr. OLMSTED. On page 12 of the pamphlet I have it says that the council shall be composed of 35 members.

Mr. LARRINAGA. That is the Cuban constitution. The Cuban and Porto Rican differ in the number of members only.

Mr. OLMSTED. But this applies to the islands of Cuba and Porto Rico.

Mr. LARRINAGA. Yes, sir; and of course Porto Rico being smaller, they reduce the number of members. That is the only difference between the two constitutions. This, Mr. Chairman, puts the whole legislative power in the hands of the Porto Ricans.

Now, as to the powers of the governor, I call the attention of the gentleman from Pennsylvania [Mr. OLMSTED] to page 19, article 44, as follows:

No executive order of the governor-general, acting as representative and chief of the colony, shall take effect unless countersigned by a secretary of the cabinet, who by this act alone shall make himself responsible for the same.

I believe, Mr. Chairman, if we had anything like a shadow of that to control the governor—

Mr. OLMSTED. Who appointed his cabinet? The governor appointed his cabinet?

Mr. LARRINAGA. Under the representation of the leader of the party who had won the elections.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. LARRINAGA. Certainly.

Mr. SLAYDEN. The gentleman says the appointment was made on the representation of the leader of the party who had won in the election?

Mr. LARRINAGA. Yes, sir. Presented some candidates—

Mr. SLAYDEN. They had a cabinet, then, that responded to the election, and went out if they were defeated?

Mr. LARRINAGA. Yes, sir. It was a parliament.

Now, I believe that in connection with another suggestion that has been made in the press and in different other papers—

The CHAIRMAN. The time of the gentleman from Porto Rico has expired.

Mr. CLARK of Missouri. Mr. Chairman, I will yield the remaining six minutes of my time to the gentleman from Porto Rico, if he wants it.

Mr. LARRINAGA. Thank you. This is a very important point, Mr. Chairman, namely, that the King could annul the organic act at any time, as it has been repeated. The King of Spain, since the constitution of Cadiz, 1812, can not do any such thing. The king is compelled to carry out and promulgate the decisions of the congress, called there the Cortes.

On page 23 the gentleman from Pennsylvania [Mr. OLMSTED] will find this statement regarding the guaranty that we had to have a permanent government of that kind. Article II of the adición reads:

When the present constitution shall be once approved by the Cortes of the Kingdom for the Islands of Cuba and Porto Rico, it shall not be amended except by virtue of special law and upon the petition of the insular parliament.

So that, according to that constitution, this bill of yours could not have been taken into consideration by the Congress of the United States except upon petition of our legislature.

Mr. Chairman, I am sorry that I have not sufficient time. I have drifted into this discussion in order to answer the points touched by the other gentlemen speaking before me; but the point I want to make is that the statement that the agricultural bank was refused by the executive council on the ground that the island could not afford to establish it is erroneous; I suppose it was said in good faith.

Our people expected that the Congress of the United States would have taken up the bills, studied them, passed upon them, recognizing both sides, and if we Porto Ricans were wrong, and their bills did not deserve consideration at the hands of the upper house, that they should have been turned down; but if one or all of those bills were good, fair, just, and reasonable, it would have done justice to us and approved it. I propose only to take up one of the bills—the bill, as I have said, to establish an agricultural bank—a bill that was introduced by the legislative assembly of Porto Rico in 1901, and as the gentleman from Colorado [Mr. RUCKER] said, "It was then a Republican house." I do not wish to bring in here these local bickerings, but we hold that the Republican party was put in power by the executive council. This would be a very long story to tell, but the fact of the matter is that that house of delegates was a Republican house, friendly to the council and under obligations to the council.

Mr. Chairman, the only bill which has ever been vetoed by the governor of Porto Rico was a bill passed by that Republican house to give more power to municipalities. That house of delegates, although it was wholly Republican, wished also to stretch out the powers of the municipalities. Whether they had won the control of the house by good means or otherwise, they wanted, all the same, to do justice to the people and to strengthen themselves in their opinion; but the executive council would not let them do it; and if they have been swept out of existence at the last three elections, so that they can not elect one single man, it is partly owing to the obstinacy of the executive council wanting to rule the island arbitrarily, whether the house be Republican, Unionist, or anything else. That is the whole truth about it. [Applause.]

Mr. Chairman, I am going to prove by the statements of a member of the executive council, the treasurer of Porto Rico,

that the agricultural bill was a good bill, and that the reason given by the executive council, that the island could not afford to guarantee the loan, was not acceptable. I will also prove that they could not believe it to be so. In the first place, the economic conditions of the island are sound and solid. Read, on page 47 of the last report of the governor of Porto Rico, what the treasurer says in the last paragraph:

The happenings of the past year but serve to emphasize the strong financial position of the island.

In page 48, line 10 from the top, referring to the panic in the United States, he says:

The financial depression caused no such stoppage of business in Porto Rico as it did in the United States.

Here again we had built well.

In page 52, at the middle of the page, they confess the necessity of the bank. The treasurer says:

All industrially new countries are greatly in need of capital. This is especially true of the Tropics.

They pretend, I believe, that as the island made a loan of \$1,000,000 for improvements two years ago and is about to make a loan of \$3,000,000 for an irrigation scheme in the southern part of the island, that the country has reached the limit of its borrowing power. Let us examine this argument. In the first place, the \$3,000,000 loan to be made is destined to build the works necessary for irrigating some land in the southern part of the island. The planters are going to pay this loan with the tax paid for the water they are going to use. The insular treasury is only going to furnish the moral guaranty. This is a money-making proposition. Those sugar lands are amongst the most fertile in the world. One crop out of four or five is lost for lack of proper irrigation. When once the crops are assured, there is not the remotest probability of the planters not being able to pay their taxes for the capital and interest of the money loaned. But even admitting that the \$4,000,000 constitutes a load on the treasury of the island, is \$4,000,000 the limit of the borrowing power of the country?

If you read in page 54, sixth line from the bottom of the same report, you will see that the assessed property of the island is over one hundred millions; and, therefore, that 7 per cent of that sum will be the limit authorized by law. If to this is added, as we have proved before, the solid financial conditions of the island, as confessed by the treasurer, and the necessity of such institution, as also declared by the same gentleman, we must surely come to the conclusion that what they really wish is that the small farmer shall not be able to find money at long terms for the payment of the capital and at a cheap rate of interest and thereby escape from the claws of usury.

If from the bill of the agricultural bank we pass to the other bills of the house rejected by the council, we shall find that they were reasonable, and in no way against the fundamental law of the country; and any fair-minded person, after having duly studied the different points of the controversy, will surely come to the conclusion that the only aim of the members of the executive council was to bring about the present difficulty, sure, as they have been all the time, that you would pass that bill, putting in their hands the last remnant of the rights of the people of Porto Rico. But, as I have already said, it is far better that they should do it by a law, however unjust, than to have them accomplish the same object every year by threat. "Lex dura, sed lex." The American people will no longer be deceived as to the kind of colonial government we are having in Porto Rico. [Applause.]

Mr. OLMSTED. I yield fifteen minutes to the gentleman from Ohio [Mr. KENNEDY], and that is all I have to yield.

Mr. KENNEDY of Ohio. Mr. Chairman, when we accepted sovereignty over the island of Porto Rico (I do not know whether we did any good for ourselves or not), we took upon ourselves a great responsibility, and of course became responsible for whatever laws were enacted for the control of the island. Such authority as we have delegated to the legislature in Porto Rico is a delegated power. It was our duty, unless we had absolute confidence that no mistakes would be made by the framers of law in Porto Rico, to withhold from them such power as would enable us to control the legislation there. I think the Foraker Act is an admirable piece of legislation. I believe it was a great mistake to pass it when we passed it. But the mistake was not in the law. The law was admirably thought out and considered, concisely expressed in the most statesmanlike manner. The great mistake we made was in assuming that the Porto Ricans had any capacity for self-government whatever. We might have known better. Had we considered history, we would have learned that the Spaniard, of all civilized races, had the least capacity for self-government. His pride of knowledge, we should have learned, was in inverse



ratio to his achievement and to his intellectual capacity. What has he contributed to the discoveries in science?

What great philosophy has he given to the world? What useful inventions? He has made some inventions. He invented the thumb-screw, bastinado, and other ingenious tools which Spanish courts have invariably used to elicit the truth from witnesses. What has the Spanish race done to further the advancement of civil liberty in the world? The history of the genesis of liberty will record that its triumphs have been made in spite of the Spanish people. When we took possession of the island they welcomed us with great enthusiasm. Then we made another mistake. We supposed that they could remember—and be grateful. These two mistakes led us to enact the Foraker bill, which was a blunder only because we were mistaken when we were led to believe they had the capacity to legislate for themselves.

I have grown out of patience with those who speak of this revolt of the people of Porto Rico as a struggle for liberty. The criticism of our government of the island of Porto Rico by the Porto Ricans grows out of the fact that no Spaniard has ever yet seemed to know what liberty was. His conception of liberty may be defined as liberty to tyrannize over somebody else. Every communication that has come to this country from this island either clearly asserts or by direct implication proclaims that under our flag tyranny exists in Porto Rico. They do not set forth the specific tyranny, nor can they. Who is it that does not now in Porto Rico enjoy complete liberty?

Will somebody rise in his place on this floor and tell me what Porto Rican is not now free under our rule there? If our flag is fostering any species of oppression or tyranny in Porto Rico this Congress should find it out. It is a confusion of what civil liberty means that these men are babbling about here before this Congress. I hold in my hand a paper showing the relative number of offices they had under the Spanish Government, and showing that they had more offices under Spanish rule than they have now, therefore their contention is they were freer then than now. Why, the Spanish tyrant exercised the most cruel tyranny over the island. That is a fact of history. He chose the instruments of his oppression from among the residents of Porto Rico. Were they any freer under the Spanish tyrant if he chose Porto Ricans to kill them or imprison them than if the instruments of his oppression had been sent from Europe? I resent this imputation as to there being any tyranny in Porto Rico now. When we took sovereignty over this island we did just what we ought to have done—retained such control there as would prevent foolish and improper legislation.

Now, I want to call attention to the legislation which they peremptorily demanded before they would pass the appropriation bill. This bill provides for the abolition of the courts of the justices of the peace (Anglo-Saxon courts which we had established there), and substituting in their place a system of Spanish courts, the judges of which were to be appointed from the dominant political party in Porto Rico. We could not assent to this. This would have been a mere franchise to a political committee to have erected a tyranny in the island of Porto Rico upon the foundation of these Spanish courts. The idea among the Spanish people of a court is not that it is a place where justice is dispensed, but where favors are granted and old political scores are settled. It has been through all the history of Spain and her colonies, nothing higher, nothing better, nor anything different than simply an instrumentality for the enforcement and the carrying out of the processes of tyranny.

This bill, providing for the separation of the territory into counties, is also one the passage of which they demanded before they would do their duty in the passage of the legislative appropriation bill. The American officials in the island could not consent to its provisions. Why, my friends, it provides for imprisonment for debt. I read from page 18, section 54:

Section 54. A marshal who suffers the escape of a person arrested in a civil action, without the consent or connivance of the party in whose behalf the arrest or imprisonment was made, is liable as follows:

1. When the arrest is upon an order to hold to bail or upon surrender in exoneration of bail before judgment, he is liable to the plaintiff as bail.
2. When the arrest is on an execution or commitment to enforce the payment of money he is liable for the amount expressed in the execution or commitment.
3. When the arrest is on an executive or commitment other than to enforce the payment of money he is liable for the actual damages sustained.

The executive council should have refused to sanction any such law. We are in duty bound to see that every citizen of Porto Rico has his civil rights under our jurisdiction protected. When these men come here clamoring and talking about liberty, they simply wanted a larger share of the offices. They

can not make a specification of any encroachment upon their liberty. They are free, and I agree with the gentleman from Wisconsin [Mr. COOPER] that we should repeal the Foraker Act, make them citizens of the United States, and give them a territorial government, just such a government as we gave every other Territory that we ever held, and let them wait for statehood until they become acquainted with our institutions and know what liberty is. And if it takes them a thousand years, we would not begrudge them the time.

When the Union party in Porto Rico succeeded in carrying the election, it became apparent at once to them what a tremendous opportunity they would have to exploit the minority and settle up old scores, if they only had control of the courts; hence their persistency in demanding this legislation.

Have any of the Members of the House stopped to reflect what has been going on around us in every Spanish civilization that has attempted to plant itself on the surface of this big round earth? Their initial steps toward a government maintaining order under law have been attended by insurrection and revolution every time the parties changed. Even if those countries be called republics, they are in every essential tyrannies. The party in power immediately controls all the courts. Then, with the Spanish devices and cruelties, their rule becomes absolutely intolerable, and there follows an insurrection or revolution. It is an insurrection if it does not succeed; a revolution if it does. There is a cause for these continual, everlasting revolutions in the Spanish civilizations that have found a foothold upon this Western Hemisphere. What is that cause? It is in the cruelty and rapacity which is exercised through their courts.

This bill was also demanded as a condition precedent to the passage of an appropriation bill. It was the most vicious of the lot. It was a demand that the schools we established in Porto Rico, with their American teachers, and the school funds, should be placed under the control of a native Porto Rican. It is the dream of every patriotic citizen of this country of an ultimate America which shall be homogeneous, speaking a common language, having like institutions, and where the rights and privileges are guaranteed everywhere under the flag. We are going to keep Porto Rico forever, and if it is not to be a plague spot upon our civilization they must adopt our ideas and accept our institutions and our laws. And it would be manifestly out of place to turn out the cultured and enlightened commissioner of education and put in his place some Porto Rican who should teach in the schools that the highest triumph of fiscal statesmanship was the adoption of a national lottery to replenish the public treasury and who would adjourn the schools that all might attend a bull fight.

The disaffected ones in Porto Rico are not here asking some guaranty of private rights. They are here complaining that we have more offices than they have, and they want us to turn out such Anglo-Saxon courts as we have and establish the old-style Spanish courts, every judge of which shall be a member of the Union party. What opportunities for revenge and extortion! This it was that started all the trouble. They began to talk about it, quickly lashing themselves into a hysterical fury, until they now seem to think that they no longer have liberty.

In accepting their guardianship we have taken a great responsibility, and we must treat these wards of ours as though they were children, protecting them even against themselves.

Mr. GARRETT. Will the gentleman yield?

Mr. KENNEDY of Ohio. Yes.

Mr. GARRETT. It is only fair to state that the only courts that they sought to elect were the justices of the peace—the lower courts.

Mr. KENNEDY of Ohio. Of course they have not attempted to establish a supreme court; but it is the magistrate who seizes and imprisons, and those courts are always summary ones. The judges are restrained by no regulation that prevents them from doing as they please. There is no guaranty of rights to the Porto Rican that one under arrest shall not be compelled to testify under the persuasion of the thumb-screw and bastinado. They are not asking for that sort of liberty. It is not that kind of people who come here with this protest against our Government. I get out of patience with them. After we fed them through a famine and sent our doctors down there and got the hook worms out of them, then they rebelled against the only liberty they ever had, the only chance they had a right ever to expect. I think we should stand by our own country and not discredit it by any doubtful action in this great House. [Applause.]

Mr. SLAYDEN. Mr. Chairman, I would like to occupy the time of the House for a minute. I was not in the House when the gentleman from Wisconsin made his speech.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Texas?

Mr. OLMSTED. If I have any further time, I will yield.

The CHAIRMAN. The gentleman has three minutes.

Mr. OLMSTED. Then I yield to the gentleman from Texas.

Mr. SLAYDEN. I was about to say that I was not in the House when the gentleman from Wisconsin [Mr. COOPER] made his speech. Therefore I had not the privilege of hearing it. I am told, however, that from something he said it is to be inferred that he was under the impression that I had said that I wanted to turn the island of Porto Rico loose and get rid of it entirely. The gentleman from Wisconsin is mistaken; I did not say that.

Mr. COOPER of Wisconsin. The gentleman was talking about Porto Rico and the Philippines, and I know that he wants to get rid of the Philippines.

Mr. SLAYDEN. I do, but they stand on a different plane. The political tie that brought Porto Rico to us was voluntarily assumed, but the political tie that brought the Philippines to us was involuntarily assumed, thrust upon them by force of arms, and not for a moment since have they consented to it. The cases are not parallel at all.

Mr. OLMSTED. Mr. Chairman, there is an amendment pending which has been discussed by one argument upon one side and one upon the other. I should like a vote on it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, after the word "further," in line 8, and insert in lieu thereof the following:

"That for the fiscal year beginning June 30, 1909, for the expenses, support, and legal obligations of the government in all its departments an amount equal to the sums appropriated in the last appropriation bills for such purposes shall be deemed to be appropriated, which shall be paid in the usual course by warrant drawn by the auditor upon the treasurer, countersigned by the governor."

Mr. GARRETT. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARRETT. To address myself to the amendment.

The CHAIRMAN. The Chair understands that all the time for the discussion granted has expired.

Mr. CLARK of Missouri. General debate has expired, but not discussion upon the amendment.

The CHAIRMAN. The present occupant of the chair was not in the chair at the time; but the Chair was informed that the amendment was discussed at the time it was offered.

Mr. GARRETT. When the gentleman from New York moved this morning to go into Committee of the Whole House on the state of the Union, and, pending that, asked unanimous consent for general debate to be extended for two hours, I made a parliamentary inquiry of the Speaker as to whether that would prevent the usual five-minute debate on the bill, and the Speaker answered that it would not; and therefore I did not object to unanimous consent.

The CHAIRMAN. The gentleman will be recognized for five minutes. The present occupant of the chair was not occupying the chair when it was brought up.

Mr. PAYNE. It does not interfere with the five-minute debate. Under the five-minute rule there has been debate for ten minutes on this amendment.

Mr. GARRETT. How did it happen that it was debated without being read?

Mr. PAYNE. The amendment was read.

Mr. GARRETT. It was read just now.

Mr. CLARK of Missouri. Mr. Chairman, I will ask unanimous consent for five minutes on each side, because there are Members here who have not heard the amendment or any discussion of it.

Mr. GARRETT. I object to that. It is not a question of unanimous consent; it is a question of parliamentary right.

Mr. PAYNE. I want to say to the gentleman that there is no difficulty about this. It is an original amendment, and he can move to strike out the last word and have five minutes. I ask that all debate on the amendment be closed in ten minutes.

Mr. GARRETT. I have no objection to that, but as a matter of maintaining a parliamentary right—

Mr. PAYNE. I say the gentleman is entitled to move to strike out the last word and debate it.

Mr. GARRETT. I think I am entitled to debate it without moving to strike out the last word, and I insist on recognition for that purpose.

Mr. OLMSTED. The gentleman from Missouri offered the amendment and debated it, and then the gentleman from New York debated it on the other side, which exhausted debate, under the strict interpretation of the rule. As the gentleman from New York says, the gentleman from Tennessee can offer another

amendment to strike out the last word, to which nobody objects, and I hope the motion of the gentleman from New York will prevail.

Mr. GARRETT. The gentleman from New York moves to close debate in ten minutes, and I have no objection to that.

The CHAIRMAN. Without objection, it is so ordered.

Mr. GARRETT. Mr. Chairman, I wish to address myself directly to the amendment. I very much wish that the gentleman from Pennsylvania [Mr. OLMSTED] could see his way clear to acquiesce in the amendment offered by the gentleman from Missouri [Mr. BORLAND], or in the amendment that is proposed to be offered by the gentleman from Texas [Mr. SLAYDEN], or in both. I shall deal with entire candor in speaking of it. I believe that the gentleman from Pennsylvania concurs with the majority of this House in the opinion that there ought to be a scrutiny and, perhaps, a revision of the Foraker Act. Of course, the gentleman from Pennsylvania does not state what ought to be done, nor can any of us, but there is an opinion that there ought to be a scrutiny of the Foraker Act, and a possible revision of it. I do not hesitate to say that it is the opinion of many of us that if this amendment to the Foraker Act passes in the form of the bill that is now before the House, without the amendment of the gentleman from Missouri [Mr. BORLAND], or the amendment of the gentleman from Texas [Mr. SLAYDEN], or some similar amendments, that that will be the end of the matter, and that there will not be any revision—any scrutiny of the Foraker Act. We are dealing with an emergency. I believe that we ought to deal with that emergency by enacting emergency legislation merely. So far as I am concerned, I have already expressed my opinion to the House upon the bill as it now stands, and I am against the bill. However, if this amendment should be adopted, I do not hesitate to say that, so far as I am concerned, I recognize the necessity for doing something there, and I should be glad to support the bill. Another thing, Mr. Chairman, and that is the second section of this Olmsted bill is wholly unobjectionable in itself, but in candor I wish to say that it seems very significant to me that this clause about a mere matter of administration is attached to a proposition amending the fundamental law of Porto Rico, and I believe that this last section of the bill furnishes an additional reason for saying that if this bill is passed there will be no further disturbance, no further scrutiny of the Porto Rican fundamental law, and for that reason I wish that the amendment offered by the gentleman from Missouri might prevail. I believe, Mr. Chairman, that if it does prevail, there will be practically no division in this House upon the passage of the bill itself.

Mr. OLMSTED. Mr. Chairman, I am unable to agree with the gentleman from Tennessee [Mr. GARRETT] that the passage of this bill in its present form will prevent the revision of the Porto Rican constitution in the very near future. I am unable to agree with him as to the wisdom of the amendment which he favors. If this is a good provision for one year, it is good for another. It is the law permanently in the Philippines, in Hawaii, and, I am told, in several foreign countries, including Spain, and I quite agree with the President, who in his message said that he recommended an amendment to the Foraker Act providing that whenever the legislative assembly should adjourn without making an appropriation, then the previous appropriation should be extended to that particular year. I desire, without objection, to yield the balance of the time that I could occupy to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, there are two objections to this amendment, either one of which, in my judgment, is absolutely conclusive. The first objection is that if the amendment is adopted it will inevitably sooner or later force an extra session of Congress for no other purpose than to provide for continuing the government of Porto Rico. The legislature of Porto Rico, which meets annually, adjourns ordinarily about the middle of March. The Congress of the United States adjourns every alternate year on the 4th day of March. Obviously, therefore, it might easily happen, and I am sure from information which has come to me it would happen, that the legislature of Porto Rico might fail to pass the budget at a time when Congress was not in session. There would be no alternative left therefore to the President of the United States but to call an extra session for no other purpose than to provide for the payment of the expenses of the Porto Rican government. I can not believe that any Member of this House would be willing to cast a vote which would bring about, even remotely, such a contingency as that.

Another objection yet more vital and fundamental to this amendment is the political effect it would have in Porto Rico. There is no question but what the adoption of this amendment would be construed in that island as a victory for the radical anti-American party of Porto Rico. It would be heralded every-



where as a rebuke to the governor of Porto Rico and his American associates in the administration of the government, and that would bring a condition of political chaos that could not be compared with the crisis which now exists there. Gentlemen have read history, particularly the history of Spanish-American peoples, to little effect, indeed, if they have not discovered that those people have no comprehension of a spirit of concession and compromise, of generosity in government. It has been the evil fortune of the people of Porto Rico, until they came under the American flag, to have been ruled always by force. They never have taken a single step in the direction of more liberal government, except as the result of revolution or the threat of revolution. The Spanish Government never yielded anything or conceded anything that it had the power to refuse. The people have always, therefore, regarded any offer of concession or compromise as an evidence of weakness, and have pressed their advantage accordingly. That is the construction they would put upon this amendment if it were adopted. They would regard it as, in effect, an approval on the part of the Congress of the revolutionary method their legislature has pursued, and would come back next year with still more radical demands than they make now, backed up by still more revolutionary methods. There is only one way to deal with these people, and that is to let firmness go hand in hand with justice, letting them learn that the corner stone of republican institutions is orderly procedure under the law. [Applause on the Republican side.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced the "noes" seemed to have it.

Mr. GARRETT. Mr. Chairman, I will ask for a division on that amendment.

The committee divided; and there were—ayes 61, noes 110.

So the amendment was rejected.

Mr. SLAYDEN. I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk began the reading of the amendment.

The CHAIRMAN. Does the gentleman from Texas understand that his amendment applies to section 1 of the bill?

Mr. SLAYDEN. No, Mr. Chairman; I thought the other amendment applied to section 2.

The CHAIRMAN. Section 1 of the bill has not yet been read. Mr. SLAYDEN. Very well, Mr. Chairman, I will wait until section 1 is read.

The CHAIRMAN. The Clerk will read section 2.

Mr. HOBSON. Mr. Chairman, I offer an amendment to section 1.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

On page 2, at the end of line 4, add:

"Provided, however, That when any regular session shall fail to make said appropriations an extraordinary session shall be called in the manner prescribed by law, for which extraordinary session there shall be not less than seven days' notice between the date of the calling and the date fixed for assembling, which date of assembly shall come not less than ten days prior to the beginning of the fiscal year for which said appropriations shall not have been made."

Mr. OLMSTED. Mr. Chairman, the gentleman from Alabama showed that amendment to me, and I stated to him that so far as I am personally concerned—I can not speak for anybody else—I had no serious objection if he will strike out the word "when" in "Provided, however, That when" and insert "if at any time after the year 1909." I can speak for no one except myself.

Mr. PAYNE. I desire to ask the gentleman from Pennsylvania what good end would be accomplished by this amendment requiring the expense of an extraordinary session of the legislature there to again perform and attempt to compromise on an appropriation bill? Why can not it be done just as well in the regular session as to have it by special session, called every time in an effort to get to some conclusion? Why not have a little good common sense about these things and not try to negotiate and all of that sort of thing in connection with legislation?

Mr. OLMSTED. Mr. Chairman, I will say if the appropriations are made in the regular sessions there will be no occasion for an extraordinary session, and the only effect of this would be to give them a little time to cool off after the regular session.

The CHAIRMAN. Without objection, the Clerk will again report the amendment as modified by the gentleman from Alabama at the suggestion of the gentleman from Pennsylvania.

There was no objection.

The Clerk read as follows:

On page 2, at the end of line 4, add:

"Provided, however, That if at any time after the year 1909 any regular session shall fail to make said appropriations an extraordinary

session shall be called in the manner prescribed by law, for which extraordinary session there shall be not less than seven days' notice between the date of the calling and the date fixed for assembling, which date of assembly shall come not less than ten days prior to the beginning of the fiscal year for which said appropriations shall not have been made."

Mr. HOBSON. Mr. Chairman, I wish to state briefly the effect of this amendment. It leaves the bill itself in full effect for the purpose for which it is intended, namely, to insure funds necessary for carrying on the functions of government, but it provides a way by which the Porto Rican legislative assembly itself could pass upon the question, simplified, disassociated from all other questions, after the heat and passions of the closing days of the regular session have had time to subside and after the people of Porto Rico have had time to realize the gravity of the situation and to give expression to public opinion. It further insures ample time for deliberation after the assembling of the special session. Under these conditions it is practically certain that a proper appropriation bill would always be passed. In any case, it would insure putting the issue fairly and squarely to the legislative assembly and the people whether or not they will provide the funds necessary for government, and only when they deliberately refuse to make provision themselves would provision be made automatically without their consent.

When we bear in mind that the executive branch of the Porto Rican government is appointed from Washington, and is not elected by the people of the island, and that this executive branch comprises all the members of the upper house of the legislative branch, and that this upper house originates the appropriation bills, then it becomes clear that only in the last extremity, involving the continuance of the government, the maintenance of law and order, should the revenues be appropriated and applied without their consent.

At first sight it may appear that the regular sessions provide for a fair and square issue on the question, but upon investigation it will become clear that such is not the case in practice. Following the course of human nature, appropriation bills and other important bills are liable to be postponed till the closing days of a short session in any parliament; and, as a matter of fact, the most important of these bills, as a rule, are thus postponed. All regular sessions of the Porto Rican assembly are short sessions, and the report of the governor of Porto Rico states that the appropriation bill has always been left for the closing days, and at times for the closing hours, of the session.

It is complained that this is not best, and I agree with the Secretary of the Interior, who acted as umpire between the three members of the executive council sent to Washington by the governor and the three commissioners of the house of delegates sent by that body, that it is not proper to try to trade off a question of fundamental principle involved in providing or refusing to provide funds necessary for the very life of the government against any question or any number of questions not involving a fundamental principle; and I think one of the most unfortunate and deplorable matters of this whole controversy is brought out when the commissioners of the Porto Rican house of delegates informed the President, in reply to his wise and happy suggestion of a compromise, that they thought no agreement could be reached on the appropriation bill except in a trade for other measures that were in dispute between the two houses. In this statement I can not feel that the commissioners made an accurate estimate either of the house of delegates or of the people of Porto Rico, whom they represent.

But this reply shows clearly that human nature has its sway in the Porto Rican assembly as it has its sway in our Congress, and that it is natural and to be expected that appropriation bills will be postponed till the latter part of short sessions and will be used to trade with, will be used as levers to secure the passage of bills with no bearing upon appropriation bills that may be in dispute or that otherwise might not have the approval of one house or the other. Thus in practice it is to be expected that the closing hours of short sessions will at times be stormy and in the tumult adjournment may be forced before the passage of appropriation bills necessary for carrying on the government. This experience has been known in our own Congress. In such a contingency we have recourse to an extra session, and the Porto Ricans ought to have similar recourse to an extra session before the executive takes the funds from their treasury. The amendment provides for such recourse without impairing the full effect of the bill in absolutely guaranteeing funds for carrying on the government. How can any Member of this House object to such a just provision?

Some have assumed that recourse to an extra session has just been tried to no avail. Investigation will convince anyone that such is not the case. The extra session in question was a wretched travesty. The governor of Porto Rico in his report to

the Secretary of the Interior, copy of which is found on pages 6 and 7 of the report accompanying this bill, states that immediately upon adjournment at midnight Thursday, the 11th of March, he issued the call for the extra session, to convene at 10 o'clock the next morning, Friday, the 12th, and that upon the convening at this hour—

I sent in a message which permitted them to consider those bills which the council and house appeared to desire most.

I quote his own words. Of course, the appropriation bill was included in "those bills." It is clear that at the outset no special question or issue was made by the governor of the appropriation bill; but that, on the contrary, he left it in the extra session where it was in the regular session—involved and interlocked with many bills in controversy being used for trading. The governor himself can not escape part responsibility for the deplorable scene that followed. He goes on to say:

I also warned the legislature informally that a special session of Congress would convene on the 15th and that they must come to some settlement before that time, otherwise congressional action would be sought.

As Congress would be in session several months, at least, there was no justification in the governor giving the assembly any ultimatum whatsoever, and much less justification in giving them a loose and "informal" ultimatum covering many subjects, requiring them "to come to some settlement" before the 15th, with only two legislative days intervening. Nothing could have been better calculated to postpone or prevent an agreement than this untimely ultimatum. No wonder Monday afternoon found the assembly without any agreement. It was only then that the governor separated the appropriation bill from the other measures, and when he did so he again gave an ultimatum requiring the passage of the bill before midnight of the same day. What was the necessity for an ultimatum of any kind? As Congress would be in session several months, and as three and a half months remained before the expiration of the fiscal year, what great haste required the passage of the bill before midnight?

The governor gives the interrogatory cable from Mr. Winthrop asking whether the appropriation bill had been passed as the only ground for his action. He states that upon the receipt of this cablegram:

I then verbally notified the leaders of both houses that unless the appropriation act was passed by midnight I should cable to Washington requesting congressional action.

It would baffle the imagination to conceive of anything more ill-timed than this senseless "verbal" ultimatum, given to men who are in the heat of passion.

The action of the governor made the passage of the appropriation bill humanly impossible. It all seems to have been by design. He states in his report that he anticipated trouble, but refrained from laying the situation before our Government, except in "personal" correspondence with Assistant Secretary Winthrop. He evidently did not wish the regular session of Congress to be informed; their action might have averted the trouble. He evidently did not wish the President to take early action. If an investigation had been made, such as the President subsequently suggested, the trouble might have been averted.

He states that he was "strongly opposed to the regular session of Congress taking any action, as there was an extra session pending," though he knew the session of the Porto Rican assembly would expire before the extra session of Congress convened. He anticipated and clearly desired the assembly's failing to pass the appropriation bill. He planned to call an extra session, stating, "I had intended to do this (call an extra session) in any case." \* \* \* He then deliberately complicated the appropriation bill with the other bills and gave a series of unofficial ultimatums that made the passage of the appropriation bill impossible. The executive council cooperated with him and joined with alacrity to bring about adjournment, and its three members sent to Washington expressed satisfaction that there had been a failure to provide funds for carrying on the government. The governor has full power for calling extra sessions. He knew that funds would not be required before July 1; he knew that Congress could not take up Porto Rican matters for many weeks. Why did he not utilize part of this time in calling a proper extra session, such as is provided for in this amendment, and laying the appropriation bill, free from complications with other bills, fairly before the assembly and the people of Porto Rico? Why has he not given full official reports to this Government of conditions in Porto Rico? Why has he not given Congress, in whose name he made his threats to the house of delegates, a full and logical report of conditions and events, instead of confining himself to a pitiful recital of his personal outpouring to Mr. Winthrop? He has

not sustained the charge he lays at the door of the house of delegates that they have struck a blow, or would strike a blow, at the foundation of government by refusing funds for the government's support. A disinterested examination of his own statement shows beyond any question of doubt that he himself is directly responsible for the present failure of passage of the appropriation bill. Furthermore, Mr. Chairman, a disinterested examination of the evidence before Congress shows beyond a doubt that no fair test has been made of the house of delegates or of the people of Porto Rico whether or not they would withhold from the government the funds necessary for its support. Such a fair test could not be made without a legitimate, reasonable extra session, with the appropriation bill alone before the assembly.

Mr. Chairman, I have an affection for the people whose destinies were left in our hands by the war with Spain. I have a peculiar affection for the people of Porto Rico. I took part in the bombardment of San Juan, when another flag was flying from the Morro. In the smoke of the bombardment my imagination pictured a day when the people of the island would look upon another flag and call it blessed. But it is not from unspoken pledges then registered in my mind nor from the affection I feel in my heart, but from a sense of justice that I now speak. A great wrong has been done the people of Porto Rico. There has been no fair trial upon which to base a judgment, the most serious that could be passed against any people, that they would strike at the foundation of government and overthrow law and order.

The President is a great jurist, and his recent Porto Rican message is a great state paper. On the whole, it is judicial in tone, but at times it becomes the argument of an advocate instead of the finding of a judge. Nowhere does he take exception to the precipitate and unbecoming action of the governor, nor to the provocation under which the house of delegates acted. The responsibility for failure to pass the appropriation bill he lays entirely upon the house of delegates. I would not exonerate the house of delegates, but it is only just to attach part of the blame to the governor and to the executive council.

In interpreting the failure to pass the appropriation bill, the President says:

The house of delegates, as a coordinate branch of that assembly, shows itself willing and anxious to use such absolute power, not to support and maintain the government, but to render it helpless.

Mr. Chairman, this terrible judgment against the popular branch of the Porto Rican government and, through their representation, against the people of Porto Rico is unjust. Furthermore, it is absolutely unwarranted. Such a judgment could be justified only after the simplified issue had been put fairly and squarely before the assembly. This has never been done. Instead of bringing this about, the governor by his own action made it impossible. The stormy extra session was only a short extension of the deadlock of the regular session. Why did not the governor make the appropriation the only question for the extra session? Why did not the executive council and the governor keep it in session until it could get in position to accomplish the legitimate work of such a session? Who could expect any self-respecting legislators to comply with the unreasonable, arbitrary ultimatum of the governor, given in such an irregular way, when there was no clear and simple issue, and when more than three months remained in which the governor could call an extra session under reasonable conditions? There is still time for an extra session under proper conditions; but I expect to vote for the bill, because the first principle of government demands the providing of funds, and under the existing form of government, in which the executive branch is so mixed up in the legislative branch, a failure to make such provision can be brought about by the governor or executive council or the house of delegates, or by all of them in conjunction, as in the present case; but I hope the bill will be amended as provided for in this amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOBSON. Mr. Chairman, I ask leave to extend my remarks.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. HOBSON. I ask this extension, Mr. Chairman, because I look upon this question as one of great importance, not only as bearing upon the efficiency of government in Porto Rico, but as affecting the general colonial policy of America. We have reached a new period in the history of our country, where responsibilities of a new kind have come upon us, responsibilities which we can not evade.

An examination of history will show that no great nation has ever yet escaped colonial responsibilities. We need not hope to escape. Colonial problems have always been the most diffi-



cult problems of government. The colonial policies of the world have reflected the stage of social evolution, and the colonial policies of a nation are a fair index of its progress in civilization. As a rule, colonies grow with a nation's growth, and colonial problems develop slowly; but with America colonial problems, full-fledged, have come upon us all at once, and we are called upon to find their solution without any experience to guide us. Furthermore, these difficult problems are but part of the great world problems that are now looming large in front of America's path. Heretofore our country has been passing through the unconscious and naturally selfish period of youth, meeting, as we have done successfully, the problems attending a great internal development. Now we are entering upon the period of manhood, where we must proceed consciously to do our unquestionably large part of the work of solving the world problems of mankind. It is high time that we should pause, when such questions as the present one are up, to consider the true principles that should be the basis of our relations with the outside world.

For the corner stone we must be just. For the next stone we must be of service. In seeking benefits we must confer benefits. I believe our wisest foreign policy for the greatest good to America is the policy that would render most service to the world as a whole. The true policy to get most benefit from any people is to help that people most.

In our relations with those peoples whom fate has committed to our charge the guiding principle is to seek always the highest good of those peoples themselves, even at apparent sacrifice on our part. The highest good calls not only for an efficient government, but also for the political development of the people themselves. Therefore our policy should be such as to insure the fundamentals of good government, but at the same time to have the exercise of the functions of government given over in ever-increasing measure to the people themselves, allowing full scope for these peoples to make political mistakes, though not fatal mistakes. As in all other departments of human endeavor, the greatest progress comes from mistakes corrected. The people should have a chance to make mistakes. Mr. Bryan enunciated a great principle when he said: "The people have a right to make mistakes."

Following these principles, I believe this bill should pass to insure the funds necessary for any government, but that it should pass with the pending amendment to leave the provision of the funds, if possible, to the people of the island. Now, I believe measures should be taken looking toward a progressive increase rather than a decrease in the part that the people of Porto Rico play in all departments of government—legislative, judicial, and executive.

I thought that my amendment was acceptable to the other side of this Chamber, and have investigated and found that this side is favorable to it and, by indication of a large consensus, favorable to the bill as it would then be amended. But from remarks of the gentleman from New York it would appear that a different intention has suddenly developed on the other side. If this is the case, the greater is the pity, for the amendment leaves the bill in full effect to accomplish all the objects for which it was intended and at the same time calls upon the people of Porto Rico to settle the question themselves as a happier solution. It seems to me, therefore, that there should be no political lines drawn and that the amendment should be passed without division of the vote.

Mr. PAYNE. I hope this amendment will be voted down, Mr. Chairman. The bill is a plain proposition. To allow such an amendment as this to be incorporated in it would encourage those people to repeat the refusal to pass bills. The effect of this amendment is simply a notification to them that if the executive council would not agree to their propositions, they could hold out for their contention in the next legislature, not only in the regular but in extra session. It would make additional expense to the government down there. It answers no good purpose. The bill in itself is simple, and it provides that in the contingency that the Porto Rican people fail in their duty to make appropriations, then simply become available the appropriations of the preceding year—appropriations that have been passed on by the same people and by the same legislature. Therefore I hope the amendment will be voted down.

Mr. DOUGLAS. Mr. Chairman, I wish to add one word to the suggestion of the gentleman from New York, and that is an important one, as it seems to me. That suggestion is that this measure is substantially a copy of the same rule that we have in Hawaii and in the Philippines.

Mr. PAYNE. Certainly.

Mr. DOUGLAS. If we make any change for Porto Rico, they will be coming here demanding that it be changed for the Philippines and Hawaii. I see no good reason why the amend-

ment should be adopted, and I certainly regret that the gentleman from Pennsylvania has intimated a willingness to have it adopted. I sincerely hope it will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Sec. 2. That all reports required by law to be made by the governor or members of the executive council of Porto Rico to any official in the United States shall hereafter be made to an executive department of the Government of the United States to be designated by the President; and the President is hereby authorized to place all matters pertaining to the government of Porto Rico in the jurisdiction of such department.

Mr. SLAYDEN. Mr. Chairman, now I ask to have my amendment read and considered.

The Clerk read as follows:

Amend by adding after line 12, page 2, as follows:

"Sec. 3. That a special committee of 11, 7 of whom shall be Members of the House of Representatives, to be selected by the Speaker, and 4 of whom shall be Members of the Senate, to be chosen by the President of the Senate, be authorized and directed to investigate, in the island, by public hearings and otherwise, the political and economic conditions in the island of Porto Rico and to report to the Sixty-first Congress not later than February 1, 1910, what, if any, changes should be made in the act of April 12, 1900, and amendments thereto.

"That \$10,000, or so much thereof as may be necessary, be, and is hereby, appropriated out of any money in the Treasury not otherwise appropriated to pay the expenses of the committee while engaged in such investigation."

Mr. OLMSTED. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

Mr. SLAYDEN. On that point of order I would like to be heard for a moment.

The CHAIRMAN. The Chair would be very glad to hear the gentleman from Texas.

Mr. SLAYDEN. Mr. Chairman, the purpose of this bill is to cure certain political conditions alleged to exist in the island of Porto Rico. The purpose of the amendment is also to cure certain political conditions that have been alleged to exist in the island of Porto Rico. The bill that the gentleman from Pennsylvania presents proposes to make an appropriation by general act of this Congress for the government down there. This amendment that I offer, and to which I hardly expected any opposition, proposes that we shall be so considerate of the people of that island as to send a committee of gentlemen down there, commissioned to hear their complaints, and if there be a reasonable basis for them, to come back to Congress with the recommendation that there be a general law to correct those conditions. What possible objection can be urged to that amendment per se I fail to understand. I believe that the amendment is germane both to the spirit and the letter of the act we are considering, and, therefore, venture to express the opinion that the point of order is not well taken.

Mr. OLMSTED. Mr. Chairman, this bill proposes to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes." There is no other purpose or object expressed or carried in the bill.

Mr. SLAYDEN. Will the gentleman allow me to ask him a question?

Mr. OLMSTED. Certainly.

Mr. SLAYDEN. Does not the amendment I have offered go to the same end, the correction of the Foraker Act?

Mr. OLMSTED. I do not think so. It provides for the appointment of a special committee.

Mr. SLAYDEN. Specifically commissioned to report back what further amendments to that act are necessary.

Mr. OLMSTED. This is a bill to amend the Foraker Act. The amendment proposes to appoint a committee, and appropriate moneys to defray the expenses of a committee to ascertain whether some further amendments may be necessary. There is nothing of that kind in this bill. This bill is reported from the Ways and Means Committee. I suppose that is on account of the provision regarding revenue. I was unable to hear how the \$10,000 proposed by the gentleman from Texas is to be payable; but if payable out of the United States Treasury, such a proposition should go to the Committee on Appropriations; if out of the contingent fund of the House, it would have to go to the Committee on Accounts. It seems to me it hardly needs argument that such a separate and distinct proposition for the appointment of a committee of the House and Senate and appropriating money for the expenses of that committee can not be germane to anything found in this bill.

Mr. SLAYDEN. Mr. Chairman, the second clause of the amendment that I have offered, making an appropriation to pay the expenses for such an investigation, originated in a suggestion made to me by a Member of this House. It would not have been put into the amendment except for his suggestion, and was not put into it as originally drawn. I would be de-

lighted to have the privilege of striking out that part of the amendment providing for the payment of the expenses of the committee of investigation and letting the amendment as offered cover only the first paragraph, providing for the appointment of a committee.

The CHAIRMAN. The gentleman from Texas [Mr. SLAYDEN] proposes an amendment, to which the gentleman from Pennsylvania [Mr. OLMSTED] raises the objection that it is not germane. The proposition of the gentleman from Texas is to provide by statute for a committee of investigation. Section 2 of the bill, to which the amendment is offered, provides for the submission of reports to an executive department to be designated by the President. It seems to the Chair that the proposition of the gentleman from Texas is not germane to section 2 of the bill. Therefore the Chair sustains the point of order.

Mr. OLMSTED. I move that the committee do now rise and report the bill and amendments to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TOWNSEND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, and had directed him to report the same back to the House with sundry amendments, and with the recommendation that as amended the bill do pass.

Mr. OLMSTED. I demand the previous question upon the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any amendment? If not, the vote will be taken upon the amendments en bloc.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. OLMSTED, a motion to reconsider the last vote was laid on the table.

#### MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States were communicated to the House of Representatives by Mr. Latta, one of his secretaries.

#### REPORT OF PROVISIONAL GOVERNOR OF CUBA.

The SPEAKER laid before the House the following message from the President of the United States (S. Doc. No. 80), which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

#### To the Senate and House of Representatives:

I have the honor to transmit herewith a communication from the Acting Secretary of War, under date of May 8, submitting the report, with accompanying exhibits, of Hon. Charles E. Magoon, provisional governor of Cuba, for the period from December 1, 1908, to January 28, 1909, when the provisional government was terminated and the island again turned over to the Cubans. I recommend, in accordance with the suggestion of the Acting Secretary of War, that this report and the exhibits be printed.

I think it only proper to take this opportunity to say that the administration by Governor Magoon of the Government of Cuba from 1906 to 1909 involved the disposition and settlement of many very difficult questions, and required on his part the exercise of ability and tact of the highest order. It gives me much pleasure to note, in this public record, the credit due to Governor Magoon for his distinguished service.

The army of Cuban pacification, under Major-General Barry, was of the utmost assistance in the preservation of the peace of the island and the maintenance of law and order, without the slightest friction with the inhabitants of the island, although the army was widely distributed through the six Provinces and came into close contact with the people.

The administration of Governor Magoon and the laws recommended by the advisory commission, with Colonel Crowder, of the Judge-Advocate-General's Corps, at its head, and put into force by the governor, have greatly facilitated the progress of good government in Cuba. At a fair election held under the advisory commission's new election law, General Gomez was chosen President, and he has begun his administration under good auspices. I am glad to express the hope that the new Government will grow in strength and self-sustaining capacity under the provisions of the Cuban constitution.

WM. H. TAFT.

THE WHITE HOUSE, June 5, 1909.

#### TELEPHONE SYSTEM IN PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 82), which was read, referred to the Committee on Insular Affairs, and ordered printed:

#### To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), and section 2 of a joint resolution amending said act, approved May 1, 1900 (31 Stat., 716), I have the honor to transmit herewith copy of an ordinance passed by the executive council of Porto Rico May 20, 1909, entitled "An ordinance repealing an ordinance entitled 'An ordinance granting to Juan Bertran the right to construct, maintain, and operate a system of long-distance telephone lines between the playsa of Yabucoa and the playsa of Naguabo and their intervening towns and cities, together with local telephone systems in certain of said towns and local stations at other points.'"

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

#### PORTO RICO POWER AND LIGHT COMPANY.

The SPEAKER also laid before the House the following message from the President of the United States (S. Doc. No. 83), which was read, referred to the Committee on Insular Affairs, and ordered printed:

#### To the Senate and House of Representatives:

In accordance with the provisions of section 32 of an act of Congress entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900 (31 Stat., 84), I have the honor to transmit herewith for the consideration of the Congress certified copy of a franchise granted by the executive council of Porto Rico May 19, 1909, entitled "An ordinance amending an ordinance entitled 'A franchise granting to the Porto Rico Power and Light Company, its successors and assigns, the right to develop the water power known as "Comerio Falls," situated on La Plata River, for the generation of electrical energy, and to build, construct, erect, and maintain lines of wires for transmitting and distributing electrical energy for commercial and industrial purposes,' " approved by the governor May 24, 1909.

WM. H. TAFT.

THE WHITE HOUSE, June 7, 1909.

#### ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly the House (at 3 o'clock and 5 minutes p. m.), under its previous order, adjourned until Thursday next at 12 o'clock noon.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WICKERSHAM: A bill (H. R. 10418) to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes—to the Committee on the Territories.

By Mr. AUSTIN: A bill (H. R. 10419) to extend the franking privilege to the officers of the national guard and naval militia—to the Committee on the Post-Office and Post-Roads.

By Mr. MURPHY: A bill (H. R. 10420) extending the provisions of the bounty-land law of March 3, 1855, to persons who served in the Fifteenth and Sixteenth Regiments of the United States Volunteer Veterans—to the Committee on the Public Lands.

By Mr. GILLET: A bill (H. R. 10421) to facilitate the use for manufacturing purposes of square No. 328 in the city of Washington, as authorized in the act of Congress of February 1, 1907—to the Committee on the District of Columbia.

By Mr. SPARKMAN: A bill (H. R. 10422) to provide for site and public building at Bartow, Fla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10423) to provide for a site and public building at Lakeland, Fla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10424) authorizing and directing the Adjutant-General of the United States Army to furnish to the adjutant-general of the State of Florida copies of the muster rolls of certain military organizations filed or deposited in the



War Department or other departments of the Government—to the Committee on Military Affairs.

Also, a bill (H. R. 10425) authorizing the State of Florida to make an efficient survey of all unsurveyed lands patented by the United States to the State of Florida—to the Committee on the Public Lands.

Also, a bill (H. R. 10426) for the purchase of additional land for garrison purposes adjacent to the military reservation of Fort Taylor, Key West, Fla.—to the Committee on Appropriations.

Also, a bill (H. R. 10427) prescribing the boundaries of the northern and southern judicial districts of the State of Florida—to the Committee on the Judiciary.

Also, a bill (H. R. 10428) to extend the provisions of the existing bounty-land laws to the officers and enlisted men, and the officers and men of the boat companies, of the Florida Seminole Indian war—to the Committee on the Public Lands.

Also, a bill (H. R. 10429) to extend the franking privilege to literature published by boards of health of States, Territories, and municipalities in the United States—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10430) to authorize the establishment of a marine biological station on the Gulf coast of the State of Florida—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 10431) for the establishment of a fish-cultural station in the State of Florida—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 10432) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same—to the Committee on War Claims.

Also, a bill (H. R. 10433) to authorize the establishment of free public schools upon United States naval reservations—to the Committee on Naval Affairs.

Also, a bill (H. R. 10434) for the relief of certain surgeons in the Philippine service—to the Committee on Claims.

By Mr. RODENBERG: A bill (H. R. 10435) providing for participation in the universal and international exhibition to be held at Brussels in 1910—to the Committee on Foreign Affairs.

By Mr. HULL of Tennessee: Resolution (H. Res. 72) requesting the President to transmit to the House of Representatives copies of all correspondence and papers received from foreign governments pertaining to wages or manufactures—to the Committee on Ways and Means.

By Mr. TAWNEY: Resolution (H. Res. 73) for the relief of Mrs. Lauritz Olsen and to pay funeral expenses of Lauritz Olsen—to the Committee on Accounts.

By Mr. FITZGERALD: Resolution (H. Res. 74) of inquiry relative to appropriations for river and harbor improvements—to the Committee on Appropriations.

By Mr. RODENBERG: Concurrent resolution (H. C. Res. 17) accepting invitation to attend Alaska-Yukon-Pacific Exposition, authorizing the appointment of a committee, and making an appropriation to defray expenses of same—to the Committee on Industrial Arts and Expositions.

By Mr. COOPER of Wisconsin: A memorial of the legislature of Wisconsin, asking the cooperation of the Government in the work of road improvement—to the Committee on Agriculture.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact legislation to prohibit railroads from increasing their rates except upon notice—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: A memorial of the legislature of Wisconsin, relating to coolie and Mongolian labor—to the Committee on Foreign Affairs.

Also, a memorial of the legislature of Wisconsin, petitioning Congress for the establishment of a permanent nonpartisan expert tariff commission—to the Committee on Ways and Means.

Also, a memorial of the legislature of Wisconsin, in regard to international peace—to the Committee on Foreign Affairs.

Also, a memorial of the legislature of Wisconsin, indorsing United States Senate bill No. 8323—to the Committee on Expenses of the Interior Department.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice—to the Committee on Interstate and Foreign Commerce.

Also, a memorial of the legislature of Wisconsin, relating to federal cooperation in the work of road improvement—to the Committee on Agriculture.

By Mr. CARY: A memorial of the legislature of Wisconsin, asking Congress to enact legislation creating a National Highway Commission, etc.—to the Committee on Agriculture.

Also, a memorial of the legislature of Wisconsin, asking Congress to enact a law to prohibit railroads from increasing their rates and charges except upon notice—to the Committee on Interstate and Foreign Commerce.

# PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 10436) granting a pension to Hester J. Wilson—to the Committee on Pensions.

By Mr. ASHBROOK: A bill (H. R. 10437) granting an increase of pension to Orrin B. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10438) granting an increase of pension to Ebon Van Kirk—to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 10439) for the relief of David J. Collins—to the Committee on Military Affairs.

By Mr. BATES: A bill (H. R. 10440) granting an increase of pension to Charles R. Gray—to the Committee on Invalid Pensions.

By Mr. BENNET of New York: A bill (H. R. 10441) granting a pension to Morris J. Lovey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10442) granting a pension to Charles F. Winans—to the Committee on Invalid Pensions.

By Mr. BOEHNE: A bill (H. R. 10443) granting a pension to Charles C. Meckel—to the Committee on Pensions.

Also, a bill (H. R. 10444) granting a pension to Frances E. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10445) granting an increase of pension to Jeremiah Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10446) granting an increase of pension to Amos Martin—to the Committee on Invalid Pensions.

By Mr. CAMERON: A bill (H. R. 10447) granting a pension to Samuel T. Ferrier—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10448) granting an increase of pension to Thomas Boggess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10449) granting an increase of pension to Zachariah Jewell—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 10450) granting an increase of pension to Carlton Routzahn—to the Committee on Invalid Pensions.

By Mr. CULLOP: A bill (H. R. 10451) granting a pension to Samuel B. Ridgway—to the Committee on Invalid Pensions.

By Mr. DIXON of Indiana: A bill (H. R. 10452) granting an increase of pension to Isaac Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10453) granting an increase of pension to Willis H. Ryker—to the Committee on Invalid Pensions.

By Mr. EDWARDS of Kentucky: A bill (H. R. 10454) for the relief of James T. Warden—to the Committee on Military Affairs.

Also, a bill (H. R. 10455) for the relief of Francis A. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 10456) for the relief of Amasa Hodge—to the Committee on Military Affairs.

Also, a bill (H. R. 10457) for the relief of Allison Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 10458) for the relief of Elijah Crabtree—to the Committee on Military Affairs.

Also, a bill (H. R. 10459) for the relief of James Brock—to the Committee on Military Affairs.

Also, a bill (H. R. 10460) for the relief of the New South Brewing and Ice Company—to the Committee on Claims.

Also, a bill (H. R. 10461) for the relief of P. H. Bridge-water—to the Committee on War Claims.

Also, a bill (H. R. 10462) for the relief of W. F. Tomlinson, administrator of Samuel Tomlinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10463) for the relief of the estate of Solomon Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10464) for the relief of the heirs of James Brandenburg, deceased, of Buck Creek, Owsley County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10465) granting a pension to Robert Stivers—to the Committee on Pensions.

Also, a bill (H. R. 10466) granting a pension to Nimrod Nelson—to the Committee on Pensions.

Also, a bill (H. R. 10467) granting a pension to John Nelson—to the Committee on Pensions.

Also, a bill (H. R. 10468) granting a pension to Sarah F. Hatter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10469) granting a pension to Nancy A. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10470) granting a pension to Margaret Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10471) granting a pension to Henry Rutheford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10472) granting a pension to Thomas Burchett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10473) granting a pension to Elizabeth Phely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10474) granting a pension to Asa Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10475) granting an increase of pension to Richard Hadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10476) granting an increase of pension to Serena Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10477) granting an increase of pension to McKager Lawhorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10478) granting an increase of pension to William T. Belk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10479) granting an increase of pension to London C. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10480) granting an increase of pension to Sarah Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10481) granting an increase of pension to James McKelvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10482) granting an increase of pension to John Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10483) granting an increase of pension to William T. Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10484) granting an increase of pension to Samuel L. Brammer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10485) granting an increase of pension to Jasper Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10486) granting an increase of pension to Zachariah T. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10487) granting an increase of pension to Perry T. Pollard—to the Committee on Invalid Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 10488) granting a pension to John H. Gray—to the Committee on Pensions.

Also, a bill (H. R. 10489) granting a pension to Miles Harri-man—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10490) granting a pension to Cynthia R. McMurry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10491) granting an increase of pension to William Sturgeon, now known as William Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10492) granting an increase of pension to Benjamin McFarland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10493) granting an increase of pension to W. R. Gabbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10494) granting an increase of pension to John M. Hulick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10495) granting an increase of pension to Sylvester Bryant—to the Committee on Invalid Pensions.

By Mr. FOELKER: A bill (H. R. 10496) granting an increase of pension to Morris Greenfield—to the Committee on Invalid Pensions.

By Mr. FORNES: A bill (H. R. 10497) granting a pension to Ella Bernhard—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 10498) granting an increase of pension to Mathias R. Zahniser—to the Committee on Invalid Pensions.

By Mr. GILLETTE: A bill (H. R. 10499) granting a pension to Frank J. Kendrew—to the Committee on Pensions.

Also, a bill (H. R. 10500) granting a pension to Lilly B. Parkhurst—to the Committee on Pensions.

Also, a bill (H. R. 10501) granting an increase of pension to Nahan E. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10502) granting an increase of pension to Isadore L. Gaboury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10503) granting an increase of pension to Monroe Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10504) granting an increase of pension to William H. Bigelow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10505) granting an increase of pension to Dwight N. Wright—to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 10506) granting an increase of pension to Charles A. Overton—to the Committee on Pensions.

Also, a bill (H. R. 10507) granting an increase of pension to Franz Nibler—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 10508) granting an increase of pension to F. L. Hersey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10509) granting an increase of pension to William Thornton—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 10510) granting an increase of pension to Andrew J. Chalmers—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Ohio: A bill (H. R. 10511) granting a pension to Alice V. Keeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10512) granting a pension to Peter Lunsford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10513) granting a pension to John W. Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10514) granting an increase of pension to Andrew J. Oiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10515) granting an increase of pension to Robert J. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10516) granting an increase of pension to Benjamin F. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10517) granting an increase of pension to Griffin Chavers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10518) granting an increase of pension to Benjamin F. Anson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10519) granting an increase of pension to William Stokley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10520) granting an increase of pension to William Pine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10521) granting an increase of pension to Calvin Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10522) granting an increase of pension to Martin Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10523) granting an increase of pension to Jesse Corn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10524) granting an increase of pension to Elijah Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10525) granting an increase of pension to Henry H. Clear—to the Committee on Invalid Pensions.

By Mr. KOPP: A bill (H. R. 10526) granting an increase of pension to George Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10527) granting an increase of pension to John L. Bailey—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 10528) to carry into effect the findings of the Court of Claims in the matter of the claim of Milton S. Johnson, assignee of Jacob Johnson, deceased—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 10529) to amend the military record of William R. Boag—to the Committee on Military Affairs.

Also, a bill (H. R. 10530) granting an increase of pension to Michael Brady—to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 10531) granting an increase of pension to William Kelley—to the Committee on Pensions.

Also, a bill (H. R. 10532) granting an increase of pension to Richard J. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10533) granting an increase of pension to Doctor S. Haddon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10534) granting an increase of pension to Thomas J. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10535) granting an increase of pension to William A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10536) granting an increase of pension to John W. Rickards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10537) granting an increase of pension to Samantha E. Merrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10538) granting an increase of pension to James H. Rodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10539) granting an increase of pension to Jacob Reed—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 10540) granting a pension to America E. Hatley—to the Committee on Invalid Pensions.

By Mr. MORGAN of Missouri: A bill (H. R. 10541) granting an increase of pension to Seneca L. Everts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10542) granting an increase of pension to Andrew M. Cage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10543) granting an increase of pension to John P. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10544) granting an increase of pension to James A. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10545) granting an increase of pension to John W. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10546) granting an increase of pension to Martin V. Welsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10547) granting an increase of pension to John A. Maples—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 10548) granting an increase of pension to Joseph S. Olscamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10549) granting an increase of pension to James A. Whitworth—to the Committee on Invalid Pensions.



Also, a bill (H. R. 10550) granting an increase of pension to Edward Holder—to the Committee on Invalid Pensions.

By Mr. PARSONS: A bill (H. R. 10551) for the relief of the owners of the steamship *Esparta*—to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 10552) granting a pension to Claude M. Crawford—to the Committee on Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 10553) for the correction of the naval record of Samuel Charles Hampton—to the Committee on Naval Affairs.

By Mr. SPARKMAN: A bill (H. R. 10554) for the relief of James D. Butler—to the Committee on War Claims.

Also, a bill (H. R. 10555) for the relief of D. F. Duckwall—to the Committee on War Claims.

Also, a bill (H. R. 10556) for the relief of Adam L. Eichelberger—to the Committee on War Claims.

Also, a bill (H. R. 10557) for the relief of William J. Hays—to the Committee on War Claims.

Also, a bill (H. R. 10558) for the relief of J. S. Huron—to the Committee on War Claims.

Also, a bill (H. R. 10559) for the relief of George A. Williams—to the Committee on War Claims.

Also, a bill (H. R. 10560) for the relief of Duncan G. Malloy—to the Committee on the Public Lands.

Also, a bill (H. R. 10561) for the relief of the heirs of J. L. F. Cottrell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10562) for the relief of Jacob H. May—to the Committee on War Claims.

Also, a bill (H. R. 10563) for the relief of Richard F. Ensey—to the Committee on Claims.

Also, a bill (H. R. 10564) for the relief of Robert B. Watson—to the Committee on Claims.

Also, a bill (H. R. 10565) for the relief of the city of Key West, Fla.—to the Committee on Claims.

Also, a bill (H. R. 10566) to permit Richard H. Whitehead, of Manatee County, Fla., to purchase certain lands herein mentioned—to the Committee on the Public Lands.

Also, a bill (H. R. 10567) for the relief of William M. Helveston and others—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 10568) granting a pension to Eugene Bourassa—to the Committee on Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 10569) for the relief of Josiah Morris—to the Committee on War Claims.

Also, a bill (H. R. 10570) for the relief of J. D. Campfield—to the Committee on War Claims.

Also, a bill (H. R. 10571) granting a pension to John Wesley Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10572) granting an increase of pension to James Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10573) to remove the charge of desertion from the military record of Joseph Dobson—to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 10574) granting an increase of pension to Edward G. Cannon—to the Committee on Invalid Pensions.

By Mr. YOUNG of New York: A bill (H. R. 10575) granting a pension to Mary T. Austin—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANDREWS: Petition by business men of Roswell, Chaves County, N. Mex.; Clovis, Curry County, N. Mex.; Artesia, Eddy County, N. Mex.; Portales, Roosevelt County, N. Mex.; and Carlsbad, Eddy County, N. Mex., praying Congress to take unfavorable action on any parcels-post legislation offered—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALL of Texas: Petition of citizens of Meridian, Tex., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. BENNET of New York: Paper to accompany bill for relief of Charles T. Wynans and Morris J. Lovey—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: Petition of Western South Dakota Stock Growers' Association, favoring reciprocity with various foreign countries relative to cattle products—to the Committee on Ways and Means.

By Mr. CLINE: Petition of Fort Wayne Perfection Company and 125 others, for reduction of duty on wheat—to the Committee on Ways and Means.

By Mr. CONRY: Petition of New Idea Publishing Company, of New York City, for free pulp; also New York Produce Exchange, New York City, for reduction of all duties; F. D. Matt & Co., New York City, against free tea; Keasby & Matteson.

Ambler, Pa., for reduction of duty on carbonate of magnesia; Derbrow & Hearne Manufacturing Company, favoring exemption of embroidery machines and needles, etc.; Commercial Exchange of Philadelphia, Pa., favoring reciprocity; E. and J. Burke, New York City, favoring free malts; Scandinavian Canadian Land Company, favoring automatic tariff revision; New York League of Saving and Loan Associations, New York City, favoring reduction of duty on raw materials; L. J. Callahan, New York City, for a duty on tea; Amalgamated Woodworkers of America, against reduction of duty on lumber; Cincinnati Boot and Shoe Association, favoring free hides; New York Produce Exchange, New York City, against duty on cabbage—to the Committee on Ways and Means.

Also, petition of American Forestry Association, favoring Appalachian Forest Reserve—to the Committee on Agriculture.

By Mr. COOK: Petition of American Forestry Association, favoring an Appalachian Forest Reservation—to the Committee on Agriculture.

By Mr. DANIEL A. DRISCOLL: Petitions of Amalgamated Woodworkers' International Union of America and Commercial Exchange of Philadelphia, Pa., favoring reciprocity; Wholesale Merchants' Association of New York, against statement that large establishments are maintained abroad by American merchants; and National Gem Company, of New York, relative to duty on gems—to the Committee on Ways and Means.

By Mr. MICHAEL E. DRISCOLL: Petition of Forestry Association, favoring Appalachian Forestry Reserve—to the Committee on Agriculture.

By Mr. ESCH: Petition of Wisconsin Natural History Association, favoring free lumber—to the Committee on Ways and Means.

Also, petitions of citizens of Wisconsin, against a duty on tea and for removal of duty from raw and refined sugars, and of the common council of Eau Claire, Wis., against reduction of duty on print paper—to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of American Federation of Arts, favoring plan for systematic development of city of Washington—to the Committee on the District of Columbia.

Also, petition of Federation of Fine Arts, for creation of a bureau of fine arts—to the Committee on the Library.

Also, petition of New York City Federation of Women's Clubs, protesting against conditions in Armenia—to the Committee on Foreign Affairs.

Also, petition of Leavy & Britton Brewing Company, Brooklyn, N. Y., for removal of duty on Canadian barley—to the Committee on Ways and Means.

By Mr. FLOYD of Arkansas: Paper to accompany bill for relief of William Sturgeon, alias William Patton; Benjamin McFarland, Miles Harriman, W. R. Gabbard, Cynthia J. McMur-ray, John M. Hulick, and Silvester Bryout—to the Committee on Invalid Pensions.

By Mr. FORNES: Petition of New York citizens, favoring abrogation of extradition treaty of 1893 with Russia—to the Committee on Foreign Affairs.

Also, petitions of Wholesale Merchants' Association, New York, denying statement that mercantile establishments are maintained in Germany by American merchants; also, Jewelers' Board of Trade of New York, favoring tariff commission; Commercial Exchange of Philadelphia, Pa., favoring reciprocity; American Newspaper Publishers' Association, New York, favoring free pulp; International Gem Association of New York, for moderate duty on gems and precious stones; and New York Produce Exchange, for placing life necessities on free list—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Local Branch No. 169, Rockford, Ill., of International Brotherhood of Stationary Firemen, for tariff on wood pulp and print paper—to the Committee on Ways and Means.

Also, petition of American Forestry Association, for Appalachian Forest Reservation—to the Committee on Agriculture.

Also, petition of J. O. Sharer, of Rockford, Ill., against a tax on tea and coffee, and William Demuth & Co., New York, against a tariff on brier wood—to the Committee on Ways and Means.

Also, petition of Roslyn Fuel Company, Seattle, Wash., against removal of duty on coal—to the Committee on Ways and Means.

Also, petition of the Alter Light Company, of Chicago, Ill., for reduction of duty on thorium nitrate and for increase of duty on gas mantles—to the Committee on Ways and Means.

Also, petition of National Association of Hosiery and Underwear Manufacturers, for increased protection on hosiery—to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of American Forestry Association, favoring an Appalachian forest reservation—to the Committee on Agriculture.

Also, petition of International Association of New York, favoring duty on gems—to the Committee on Ways and Means.

Also, petition of National Association of Lithographers, for a duty on all lithographic products—to the Committee on Ways and Means.

By Mr. HARDWICK: Paper to accompany bill for relief of Delilla McGuire—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Mary L. Walker—to the Committee on Pensions.

By Mr. HOLLINGSWORTH: Petition of J. S. McCready Post, No. 456, Department of Ohio, Grand Army of the Republic, against engraving picture of Jefferson Davis on silver service of the battle ship *Mississippi*—to the Committee on Naval Affairs.

By Mr. JOHNSON of Ohio: Paper to accompany bill for relief of Ellen Leach, widow of Robert A. Leach—to the Committee on Invalid Pensions.

By Mr. LINDBERGH: Petition from the business men of Brocton, Minn.; Evansville, Minn.; Browerville, Minn.; and Eagle Bend, Minn., protesting against the enactment of a parcels-post law by Congress—to the Committee on the Post-Office and Post-Roads.

By Mr. MARTIN of South Dakota: Petition of Western South Dakota Stock Growers' Association favoring reciprocity with foreign countries relative to meats—to the Committee on Ways and Means.

By Mr. MURPHY: Petition of Texas County (Mo.) Farmers' Union, for parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON: Paper to accompany bill for relief of Edwin R. Mears—to the Committee on Pensions.

By Mr. SPERRY: Petition of citizens of New Haven, Conn., favoring the reduction of the duty on wheat—to the Committee on Ways and Means.

## SENATE.

TUESDAY, June 8, 1909.

The Senate met at 10.30 o'clock a. m.

Prayer by Rev. Ulysses G. B. Pierce, of the city of Washington. The Journal of yesterday's proceedings was read and approved.

### FRENCH SPOILIATION CLAIM.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel sloop *Diana*, Henry Nicoll, master (S. Doc. No. 84), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a bill (H. R. 9541) to amend an act entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. SCOTT presented a memorial of sundry citizens of Wheeling, W. Va., remonstrating against any increase of the duty on print paper and wood pulp, as proposed in the so-called "Payne tariff bill," which was ordered to lie on the table.

He also presented petitions of sundry citizens of the United States, praying that an appropriation be made to place in Statuary Hall a suitable memorial to the memory of James Rumsey, which were referred to the Committee on the Library.

Mr. FLETCHER presented a petition of the Board of Trade of Miami, Fla., praying for the imposition of a duty of at least 40 cents per box or crate on all pineapples imported into this country, which was referred to the Committee on Finance.

Mr. BURTON presented petitions of sundry citizens of Convo and of Local Grange No. 873, Patrons of Husbandry, of Little Hocking, all in the State of Ohio, praying for a reduction of the duty on raw and refined sugars, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Fremont, Vanlue, Findlay, Continental, Moline, Walbridge, Curtice, East Toledo, Elmore, and Oak Harbor, all in the State of Ohio, praying for the retention of the present duty on raw sugars, which were ordered to lie on the table.

Mr. PENROSE presented a petition of the National Board of Trade, praying that liberal appropriations be made for the im-

provement of the rivers and harbors of the country, which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens employed in the oil industry at Pleasantville, Tidioute, and Sheffield, all in the State of Pennsylvania, praying that a duty of 50 cents per barrel be placed on all crude oil, and also for a corresponding duty on the manufactured products of crude oil coming from foreign countries, which was ordered to lie on the table.

He also presented a petition of the National Board of Trade, praying for the substitution of specific duties instead of ad valorem duties in the pending tariff bill; for the appointment of a nonpartisan expert tariff commission, and also for the improvement of trade relations with insular possessions, which was ordered to lie on the table.

Mr. DEPEW presented a petition of Abraham Lincoln Council, No. 14, Junior Order United American Mechanics, of Brooklyn, N. Y., praying for the passage of the so-called "Overman amendment" to the pending tariff bill, proposing to increase the head tax on immigrants from \$4 to \$10, which was ordered to lie on the table.

He also presented memorials of members of the composing room of the North Side News chapel, of New York City; of members of the Buffalo Electrotype Works, of Buffalo; of members of the New York World composing room, of New York City; and of members of the Evening Call composing-room chapel, of New York City, all in the State of New York, remonstrating against the inclusion in the pending tariff bill of any duty on news print paper and wood pulp, which were ordered to lie on the table.

He also presented a memorial of Local Union No. 11, Pulp, Sulphite, and Paper Mill Workers, of Morrisville, N. Y., and a memorial of the International Brotherhood of Stationary Firemen, of Troy, N. Y., remonstrating against any reduction in the duty on print paper and wood pulp as contained in the Dingley bill, which were ordered to lie on the table.

He also presented petitions of sundry newspaper workers of New York City, Brooklyn, Glendale, Sheepshad Bay, and Bath Beach, all in the State of New York, praying for the retention of the duty on print paper and wood pulp as proposed in the so-called "Payne tariff bill," which were ordered to lie on the table.

He also presented a memorial of Typhographia No. 4, Zweig der Deutsch-Amerikanischen Typographia, of Buffalo, N. Y., remonstrating against any change in the rates on wood pulp and print paper as fixed by the House bill, which was ordered to lie on the table.

### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PAGE:

A bill (S. 2542) granting an increase of pension to Lorenzo W. Shedd;

A bill (S. 2543) granting an increase of pension to John H. Sargent (with the accompanying papers); and

A bill (S. 2544) granting an increase of pension to Joseph A. Lambert (with the accompanying papers); to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 2545) to establish a fish-culture station in New Mexico; to the Committee on Fisheries.

A bill (S. 2546) to correct the military record of John C. Barrett (with the accompanying paper); and

A bill (S. 2547) to grant an honorable discharge to Harry P. Eakin; to the Committee on Military Affairs.

A bill (S. 2548) granting an increase of pension to John Bell;

A bill (S. 2549) granting an increase of pension to Alice M. Bright; and

A bill (S. 2550) to pension volunteer army nurses; to the Committee on Pensions.

By Mr. MONEY:

A bill (S. 2551) for the relief of M. T. Sigrest;

A bill (S. 2552) for the relief of heirs or estate of Mrs. Eunice Hurdle, deceased;

A bill (S. 2553) for the relief of J. W. Causey; and

A bill (S. 2554) for the relief of J. R. Hollowell; to the Committee on Claims.

### THOMAS COYLE AND BRIDGET COYLE.

On motion of Mr. BURNHAM, it was

Ordered, That there may be withdrawn from the files of the Senate the papers accompanying the bill for the relief of Thomas Coyle and Bridget Coyle (S. 446, 60th Cong., 1st sess.), there having been no adverse report thereon.

### SCHOOLS IN THE DISTRICT OF COLUMBIA.

Mr. NELSON. I present an article prepared by W. C. Dodge, a former trustee of the public schools in the District of